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POLITICAL TRACTS,

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1843

POLITICAL TRACTS:

CONTAINING

I.

A PROPOSAL FOR THE LIQUIDATION OF THE NATIONAL DEBT;

AN EXPLANATION OF THE PROPOSAL:

AN APPENDIX, CONTAINING A NARRATIVE OF PROCEEDINGS
THEREON AT VARIOUS PUBLIC MEETINGS.

II.

THE EFFICACY OF A SINKING FUND OF ONE MILLION
PER ANNUM:

THE PROPRIETY OF AN ACTUAL PAYMENT OF THE PUBLIC DEBT;

THE TRUE POLICY OF GREAT BRITAIN:

THE CONCLUSION.

III.

THE ABOLITION OF TITHES AND THE REFORM OF THE
CHURCH REVENUE:

THE DOCTRINE OF PRESCRIPTION CONSIDERED:

A NARRATIVE OF PROCEEDINGS AT A COUNTY MEETING HELD AT
MORPETH, Dec. 22, 1784, RESPECTING THE PAYMENT OF TITHES:

A LETTER TO THE FREEHOLDERS OF THE COUNTY OF
NORTHUMBERLAND, ON THE SAME SUBJECT:

THE CONCLUSION.

By SIR *FRANCIS BLAKE*, BART.

QUOS DEUS VULT PERDERE
PRIUS DEMENTAT.

A NEW EDITION.

L O N D O N:

PRINTED FOR J. DEBRET.

Opposite Burlington House, Piccadilly.

1795.

1815 JUL 14 1815

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PART THE FIRST.

CONTAINING

A PROPOSAL

FOR THE

LIQUIDATION

OF THE

NATIONAL DEBT.

An Explanation of the Proposal.

AN APPENDIX

CONTAINING

A NARRATIVE OF PROCEEDINGS thereon
at various Public MEETINGS.



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TO THE
PEOPLE OF ENGLAND,
THESE ESSAYS

ARE MOST HUMBLY INSCRIBED

BY THEIR

Devoted Servant,

AND

Faithful Friend,

THE AUTHOR.

REPORT OF THE

COMMISSIONERS

OF THE LAND OFFICE

IN

RESPONSE TO A

RESOLUTION OF THE

HOUSE OF REPRESENTATIVES

PASSED MARCH 10, 1866

AND

APPROVED

APRIL 1, 1866

WASHINGTON

PART I.

THE

LIQUIDATION

OF THE

NATIONAL DEBT.

FIFTH EDITION.

LET us suppose the debt of the nation---
two hundred and forty millions. The in-
terest upon this debt---*ten millions.* The rent-
roll of real estates---*fifty millions.*

My enquiries, relative to these points, encourage me to say that, every thing considered, our situation is not altogether so bad as is here represented. However, as a greater degree of

accuracy is not material to my present purpose, let us take it for granted that the *rents, debt, and interest*, are such as I have stated them to be.

From these premises, it appears, that the income of the individuals of this country is *sixty millions a year*: and it further appears, that if the debt of the nation was transferred to individuals, every proprietor of real estates and stock would be encumbered thereby to the amount of four years income.

A proprietor of 100l. per annum would be burdened with four hundred pounds, another of 500l. per annum with two thousand pounds, and so on in proportion; which, at four per cent. would reduce the first to 84l. and the latter to 420l. per annum.

This is no such mighty sacrifice, if it was even in addition to the present burdens. But, when it is considered that this payment is *in lieu of all taxes whatever*, I much question whether there is a man in the kingdom, who will not think himself a gainer by the bargain; taking

along with the proposition, the comforts that attend it.

For my own part, were it in my option I would not hesitate a moment in the choice I would make; *and my proportion would be no inconsiderable sum.*

The national debt is here stated at two hundred and forty millions, and it is proposed that interest shall be made payable thereon, at the rate of four per cent. which will raise nine millions, six hundred thousand pounds. But as no interest must be calculated upon that part of the debt which falls to the share of the stockholders, we must make a deduction of 1,600,000.* being the interest of 40,000,000l. or four years income of 10,000,000l. per annum, at four per cent. The whole sum to be levied will therefore be 8,000,000l. which is the proportion of those who are the proprietors of real estates, being the interest of 200,000,000l. or four years income of 50,000,000l. per annum, at four per cent.

No objection surely can be made to this arrangement, which takes up the room of all other

* The share of the interest of that portion of the debt which falls to the lot of that class of people.

national demands, though it lays in lieu of them a less incumbrance upon the proprietors of real estates than they pay at present for land only.

Besides, if it should hereafter appear that the debt has been over-rated; * or that the bulk of real estates has been undervalued; which is most likely to be the case; † the burden will be still lighter than that which is here proposed to be placed upon the back of the public.

Notwithstanding what has been advanced in a former paragraph, respecting the payment of eight millions only, this regulation will effect a reduction of taxes and duties to the full amount of nine millions six hundred

* From what has since appeared there is too much reason to believe that the public debt is somewhat undervalued at two hundred and forty millions. There does not, however, remain a doubt but the proportion of six to one between the interest of the debt and the income will still hold good.

† Lord Newhaven in his late publication supposes the income of Great Britain to be one hundred millions per annum. The general income may probably be such as his Lordship represents it to be. But the income of merchants and men in trade cannot be come at in a way to be rated, and is therefore not amenable to the present purpose. Otherwise two shillings in the pound, on an income of one hundred millions, would cover the whole incumbrance of the National Debt.

thousand pounds. The total outgoings do not exceed *twelve millions and a half*; and as the customs produce three millions, we may safely say that the whole is provided for by the present proposition.

This is the light in which I have been accustomed to consider the state of the nation; but it is more than probable that I have viewed it through a false medium; for I find it has been lately declared in a public assembly, by a very able and well-informed member of that honourable house,* that as matters now stand, the annual expence will fall very little short of *fourteen millions*, compounded of the following parts :

	£.
Civil List	900,000
Peace Establishment	3,500,000
Interest	9,393,000
	<hr/>
	13,793,137 †

* Mr. Thomas Pitt, late Lord Camelford.

† This is the neat sum paid into the hands of government, but it is not the precise sum taken out of the pockets of individuals; for to this you must add the expences of collecting: Which latter sum, whatever it is, will be saved for the most part to individuals.

Let us now take up the business upon this ground. Even in this case the deficiency not brought to account by the present plan is no more than 4,193,137*l.* of which the customs, as mentioned above, producing three millions, * there remains something more than one million to be provided for by duties the least burdensome to the people.

Suppose the duty on salt is continued, it is very productive, and is in no degree oppressive; it is indeed hardly to be felt by the meanest individual. This duty brings into the treasury upwards of half a million, and stamps produce no less. † If these are approved, the sum is sufficient, and all other imposts may be done away.

When war returns, taxes indeed must return with it. But, as we know where to lay

* Mr. Pitt, in his estimate of the revenue, took the customs at four millions and a half, for which however as an average sum he has no warrant, the fair average of ten years ending the 1st of April, 1785, not much exceeding three millions six hundred thousand pounds per annum. See the propriety of an actual payment, Page 144.

† The stamps are much more productive since the late additional duties were laid on.

our hands upon nine millions six hundred thousand pounds a-year, * we are always provided with a sum, fully sufficient, to answer all the purposes either of attack or defence.

We may, therefore, consider these dormant taxes as a resource, certain and inexhaustible, in all possible cases ; and as such, it will operate to the absolute annihilation of that monster of the age, *a national debt*, never more to be brought in judgment against us.

And when this circumstance is made known to the powers of Europe, and other states, it will keep *the world in awe*; for what nation would be hardy enough to give us offence, when it is known of a certainty, that we can fight with them to the end of time, without incumbering ourselves in future with a shilling of debt.

It is necessary to say something here, in explanation of what was advanced respecting the non-payment of interest upon the stockholders contribution. † The income of that

* By means of the present taxes proposed to be qualified in time of peace, but again to be revived in time of war.

† See page 7.

body of people is stated at ten millions a-year; their contribution, therefore, will amount to forty millions : the interest upon which being paid by themselves to themselves, an effect is produced similar to that which would take place by reducing their capital : or, in other words, by expunging the national debt to that amount.

For instance : A proprietor holding stock which produces an income of 100l. per ann. is to contribute four hundred pounds : not, however, by actual payment of the money, but, which is the same thing in effect, by relinquishing so much of his claim upon the public. Therefore, clearly, no calculation of interest must be made upon this sum, which, as a debt, has no longer any kind of existence.

Neither is this deduction so very bitter a potion, when it is considered that the remainder will be well secured, which is far from the case at present, and at good interest; and may be transferred, the same as now by sale or otherwise, not however at an undetermined price as now, but at par always: for

this further advantage will attend the regulation, that it will bring the iniquitous practice of *stock-jobbing* to a final period.

The case is so obvious, it is almost unnecessary to mention, that the proprietors of real estates, purchasing stock, at any time, to the amount of their respective contributions, have it in their power to *release their estates*: or, they may again dispose of the whole of the stock purchased, or a part of it, to provide for younger children; or for any other purpose, whenever they please.

It may be said I have pressed hard upon real estates; in whose relief, therefore, and to make the load fall as equal as possible upon property in general, it is proposed, agreeable to the spirit of this design, that all debts, whether by mortgage, bond, or otherwise secured, (tradesmens bills excepted, not carrying interest) shall contribute in like proportion.

For instance: It is proposed that every person in possession of real estates to the amount of 100l. per ann. shall contribute four hundred pounds: or, in other words, that his property shall be made subject to the payment of interest upon that sum, at the rate

of four per cent. But if the proprietor of such estates is encumbered by mortgage, or otherwise, he shall only contribute in proportion to his clear income; and the residue shall be made up, in due proportion, by the creditors.

For example: Suppose a person in possession of real estates to the amount of 100l. per ann. to be indebted to one or more creditors in the capital sum of 500l. for which he pays interest at the rate of five per cent. In this case, as the estate is made liable to the full payment of 400l. and interest thereon as above, it is further proposed to give the proprietor of the estate for his security a power to detain that full proportion of yearly payment which by this plan will be due from others who hold securities under him; and in this case* the sum to be detained will be 4l. per annum, the stated interest of one hundred pounds, which latter sum is four years income, of 500l. at five per cent.

I have said that the proposed payment is *in lieu of all taxes whatever*, whereas it now

* The case supposed.

appears that the duties on salt and stamps are intended to be continued. *

It is true, I have proposed to continue those duties; but their pressure is very light: and even that weight, small as it is, may probably be removed, in part, by savings in the reform of the peace establishment; and, in part, by the increase of the customs; for no doubt they will increase, by virtue of this reform, and gradually come in aid of the deficient remainder.

If the reader is not already aware of the circumstance, it is proper to inform him, that what the author has in view is to distribute the weight of our burthens upon the individuals of this country, in exact proportion to their strength and ability to bear them. Therefore, when war returns, and with it the taxes, the land-tax, according to the present amount of it, is to be levied by an equal rate, affecting not only the land-holder, as now, but, in due proportion to their clear

* See this objection obviated in a note, page 10, or at least in part obviated by what may be called the fair average of the customs.

receipts, all other persons who are entitled to payments secured upon land, or upon the proprietors of land. In consequence of this more enlarged and equal distribution, the landed interest, notwithstanding the vast accumulation of public debt, will not even in time of war be so much loaded as was the original express intention of the legislature to load the land exclusively, in cases of that kind. That is to say---the aggregate sum to be paid in lieu of land and all other taxes will not amount, *flagrante bello*, to four shillings in the pound.

There is one very material point of consideration, which has hitherto escaped my notice;—the distress which must inevitably fall upon those who have no other means of support for themselves and families, but what they derive from the emolument of office. And as I fear there are some who have been quick-sighted enough to anticipate this ruin in their minds, from such I seek forgiveness, for having wounded their feelings, though but for a moment, by leaving room for the suspicion of such injustice. Without securing a retreat for these,

Myself should be the first
To hate myself, and stamp my *Plan* accurst

Let all such be considered as annuitants, and continued in the full receipt of their salaries for life; or, if that is thought too much, let them be put upon half-pay. Were it left to my determination, the former should have the preference. For when prudence draws one way, and pity the other, I confess myself unequal to the conflict. I think I could face death, and any danger, with the firmness of a man; but in cases like these, I am woman all over, and nothing but weakness.

There is one argument in favor of the more humane side of the question, which should be attended to---That even by leaving them in the full possession of their salaries, you do, in effect, reduce them to half-pay; the fees of office being, in most cases, equal to the fixt salary; and, in many cases, I believe, considerably more.

And here I might enter upon a large field of benefits, which will result to the population, trade, commerce, and manufacturers of this country, by the abolition of taxes; but they are not numerable within the compass of this paper: neither, indeed, can it be necessary

to enter upon a detail of them, in proof of a self-evident fact.

One circumstance, however, I cannot forbear to mention, which is,---that *the Excise*, that object of just terror to Englishmen, will no more, like *a spectre*, appear before us; but the gates of that office, like *the temple of Janus*, will be shut, never more to be unlocked, but to furnish means, in time of war, for the security of the state.

* Then, again, shall every Englishman's house be his castle; which, however great, however mean, though it were pervious to every wind, and accessible to all the elements of nature, *the King cannot, the King dare not enter.*

There is yet another circumstance, which, as it strikes me forcibly, I beg leave to name.

That the abolition of taxes, will put an effectual stop to emigrations † from this country,

* See Mr. Pitt's speech (late Lord Chatham) in the debate respecting the illegality of general warrants.

† More than forty thousand persons are supposed to have emigrated from this country during the last peace.

which in the present posture of our affairs, is a certain impending evil, threatening no less than the loss of our liberty, and the subjugation of these kingdoms to a foreign yoke. Nay more, that it will in all human probability occasion such an influx of people of all denominations from other states, and of course such an increase of wealth and strength, as will enable us still to hold up our heads among the mighty ones of the earth: and by restoring us to the lost dominion of the seas, make us rise, *like a giant refreshed with wine*, superior to our distresses, and greater by our fall.

OBJECTIONS ANSWERED.

IN opposition to the doctrine laid down in the preceding sheets, it has been asserted that nine million six hundred thousand pounds a year, is not sufficient to defray the expence of a war; as is evident from the supplies of the two last wars, which very considerably exceeded that sum.

Surely this is no serious argument! It supposes us to continue in the same track, which has led us to the brink on which we stand: and if such is the determination, *actum est de republicâ*, there is no power in man to save us from destruction.

But with so much experience over our heads, it is to be hoped, that we have not only seen, but repented the folly and infatuation of our late proceedings; and are so tremblingly alive to the sense of what is past, as to dread a repetition of them more than death.

Therefore setting aside this argument, as embracing a proposition too palpably absurd to

stand in need of further refutation, the author seems to be warranted in the expression, " That
 " the sum proposed is fully sufficient to answer
 " all our *future purposes*, either of attack or de-
 " fence."

If it is urged in reply, that this mode of reasoning is more plausible than convincing, being the offspring of hope rather than certainty; it may be strengthened by this further declaration, That in contemplating our own altered situation, and the new interests which have arisen in the world, * it seems to strike the mind as a *moral impossibility*, that this country can ever again be engaged in so general and expensive a war.

But even admitting the possibility, would it be right to forego the benefit of an institution, in all other respects efficient, because it is just barely possible that a contingency may be engendered in the womb of time, for which this proposal has made no suitable provision? As well might a man, having scarce any other means of precarious support, refuse to accept the inheritance of an estate to which honors and great advantage were annexed, merely

* From the independence of America.

because it was situate in an island, and might some time or other be overwhelmed in the sea.

Besides, if such an event should take place, does it follow that we must necessarily carry on the war at the same boundless expence? Can no material savings be made? Then indeed have the two last wars been conducted with the nicest attention to frugality; which if any will assert, it can be only such as those, who shutting their eyes against the light of the sun, would maintain, spite of their own better knowledge, that the earth is enveloped in midnight darkness.

As the point in dispute may receive some further illustration from a comparative view of the expence of former wars, let us examine the amount of the highest expenditure in any one year in the following reigns:---viz.

	<i>A.D.</i>	<i>£.</i>
William III. - -	1693 -	10565089
Ann - - -	1709 -	11890893
George I. - -	1722 -	9685012
George II. - -	1760 -	19060039
George III. - -	1782 -	26636579

By comparing these several sums with that which has been herein provided, the particulars of which provision are as follows :

	£.
Customs - - -	3000 000
Salt and Stamps -	1200 000
Interest - - -	8000 000
Taxes - - -	9600 000
	<hr/>
	21 800 000

The sum provided appears, upon the face of it, to be more than double what was expended in any one year in the reign of William III. or George I. not quite double the highest expenditure of Queen Ann's reign; almost three millions above the most expensive year of Mr. Pitt's all-glorious war: yet strange to tell, it falls short of the sum consumed in the unfortunate 1782 nearly five millions of money.---All these appearances, however, are delusive. We must take into the account the difference of the article of the interest at this time and the periods alluded to, before we can draw a fair comparison. Under the present regulation the interest is fixt

at eight millions, in 1760 it was not more than 4409797l. the difference is 3591797l. which being added to the expence of that year produces 22651836l. the sum which would have been expended *cæteris paribus* in the year we have named.

But as to the outgoings of the year 1782, we must, in considering them, proceed in a different way; the interest of that year being more than eight millions, the excess must be deducted; and if we take the interest at 9393137l. as stated in the ninth page of this work, the gross sum will be reduced thereby to 25243442l.

What savings might have been made in these or any other years of extraordinary expence, the author does not pretend to determine. It is a question of very difficult solution, and as such he begs leave to submit it to the adept in those researches; reserving however in the mean time to all others, the liberty of forming their own conjectures.

But admitting that it is not practicable to make any material savings; and admitting the proba-

bility of our being engaged again in wars as expensive as the last, which, of all bad lights, is the worst I think in which we can place it; even in this point of view, taking one year with another, the provision which is made is a match for the disbursements. The truth of this assertion will appear by the annexed columns of expence, which contain the total revenue as paid into the Exchequer in the following years:

<i>A.D.</i>		<i>£.</i>
1777	- - -	15621763
1778	- - -	17934009
1779	- - -	18816109
1780	- - -	24136200
1781	- - -	25009712
1782	- - -	26636579
Grand Total		128154372

In which period of six years, the annual sum as proposed by the author, *viz.* 21800000*l.* * making an accumulation of 130800000*l.* leaves a balance in our favour of 2645628*l.*

From the evidence of these facts, it is clear, that the sum in question would have been suf-

* See page 23.

sufficient in all cases that have hitherto occurred. For even in the last war, which in the article of expence, and indeed in many other respects, was a Master-piece of its kind; even in that memorable instance, had the present plan been adopted before we started, we might have terminated our mad career, with this satisfaction at least, that we had not incurred, by the experiment, a single shilling of debt.

Another objection has been made---That in case of war, money will be wanted immediately, whereas a supply by taxes cannot be brought forward in less time than a year.

To obviate this difficulty it will be necessary to make a deposit in the treasury of a sum sufficient to defray the expence of the first year of the war. This may be done by continuing the taxes one year after the commencement of this regulation, the produce of which being deposited as above, removes the objection, by establishing a fund which may be fingered upon the shortest notice. And having thus provided means for the services of the first year of the war, the taxes of that first year will furnish a supply for the second; the

taxes of the second for the third, and so on in regular succession, till we close the scene; and with the taxes of the last year of the war, replace the deposit.

From what has been said it is manifest that as soon as war is at an end, there is an end of taxes also. We may therefore compare the distresses of war to the circumstances of a dream, which affect us no longer than we remain under the influence of sleep: Or we may liken them to the pressure of an incubus, highly perplexing for the time, and grievous to be borne, but which leaving us with strength and vigour unimpaired, only wakens us to the enjoyment of new delight.

These obstructions removed, there remains yet another in our way, which is said to be insurmountable, *viz.* That by disbanding the body of people employed in the department of taxes, you will not be able to muster them again of a sudden, so as to answer the immediate exigencies of the state. For however lightly it may be thought of by persons unacquainted with the nature of the business, the

department of taxes is *a great and wonderful machine*, the knowledge, and right management of which, acquired by long and painful application, and only made familiar by practice, would soon be lost through disuse, irrecoverable within the compass of time we could spare for that purpose.

This argument, if it proves any thing, proves too much; as by parity of reasoning, we ought to continue our army upon the war establishment, and our navy also: for notwithstanding what has been said, it is surely as difficult a task to manufacture a good seaman or soldier, as it is to construct an accountant, a tax-gatherer, or even an officer of excise.

As to the *ipse dixit* declaration which the objector has added, by way of establishing his fact, candour itself must allow, it has more the appearance of trick than fair-dealing: for when any man attempts to make a mystery of those things which plain common sense can make itself master of without the aid of a miracle, most assuredly he means to deceive you. If this construction gives offence to any per-

son, let him first explain what there is of such peculiar intricacy in the business of the taxes, to entitle it to so pompous a distinction. Might we not say, with infinitely more apparent propriety, that a line of battle ship is a great and wonderful machine, that an army is the same? yet we have never been at a loss to give motion and effect to either of these when occasion required it.

It may be said, however, that the comparison does not hold, inasmuch as the navy and army are only reduced, not wholly disbanded and paid off; whereby even in time of peace, numbers being trained to the use of arms, and a seafaring life, we are enabled, with the assistance of the half-pay list, and the two great seminaries for the profession of arms, the militia on one hand, and the merchant ships on the other, to go forth with such powerful armaments on the first blush of a war.

Neither is it intended that the body of men employed in the department of taxes should be wholly turned adrift: some certain portion of them must necessarily be continued to col-

left and regulate the remaining payments which are here pointed out. And when the exigencies of state require the service of a greater number, the half-pay list in this case, as well as in the other instances adduced, together with the legion of quilmèn which may be collected from the counting houses and desks of our traders and merchants, will enable us without any manner of doubt, *in one little month*, to give motion and regularity to this great and wonderful machine.*

Having now gone through the whole of the objections, and opened a free passage for the exercise of the judgment; let the unbiaſſed reader determine, whether the ſcheme is really ſuch as it has been repreſented to be, viſionary and unavailing, or whether it is not rather practicable in all its parts, and effectual to the end propoſed.

* But if it is judged expedient to ſubſtitute a pound rate in lieu of taxes propoſed here to be revived in time of war, we are rid of theſe objections.——See page 131.

QUERIES ANSWERED,

QUESTION I. Whether men, whose commodity is labor, do not emigrate to get employment, and not to avoid taxes? How then would the proposed abolition of taxes put a stop to emigrations?

ANSWER. Because such men, as are named, would no longer have occasion to emigrate to get employment.

QUEST. II. If there are more men in a state that can be made useful, whether the surplus had not better emigrate than stay at home, and live at random?

ANS. Under such circumstances it is certainly expedient to emigrate. But it is the blame of taxes if there are more people in this country than can be made useful. That obstruction removed, the tone would soon be changed, the cry would be,---*set every hand at work,---make ready merchandise for all the various markets*

of the world. The present surplus had, therefore, much better be kept at home to live and enrich themselves, and the realm, in the manner proposed, than emigrate to our essential loss, and gain of other states.

QUEST. III. Whether a petition to parliament for the adoption of this plan, would not pave the way to an equal land-tax?

ANS. The way is paved already; and we now ly at the mercy of *any minister* who has obstinate valour enough to risk himself and his situation upon the success of the measure. The plan proposed is the only one that has yet been devised, which will effectually defeat a project that has more than once been the subject of debate in cabinet councils.

QUEST. IV. Whether emergencies would not speedily arise to demand the revival of all our present taxes, one after another, even in time of peace? And whether it is not highly probable, in the success of this plan, that many of us may live to see that fatal day return?

ANS. In the success of this plan, it is not at all likely that any of us should live to see the revival of taxes in time of peace; so little so, that there is no probability of such revival in any period of time, because it provides amply for all contingencies which human wisdom can foresee. But failing success to this design it is highly probable, nay certain, that in the event of another war, which is not distant, "Mischief must and will ensue, such as the sun's all-piercing eye hath not yet looked upon in this country." *

QUEST. V. Whether it would be safe to change the present system of taxation, under which, the trade, manufactures, and agriculture of the kingdom have arisen to such amazing perfection? And whether taxation, considered as a stimulus to provoke our industry, is not absolutely necessary to the well-being of the state?

ANS. If there is any credit to be given to the old observation, *out of debt, out of danger*, then it is safer to adopt the plan recommended by the author, than that which is now in use. As to the circumstance of

Vide page 106.

our trade, manufactures, and agriculture, they have most undoubtedly flourished under the present system of taxation. They have flourished in like manner under the present system of corruption,—under the venality of the representative and constituent bodies,--- under the undue influence of the crown, and under every other mischief which has crept into the state. But have they flourished by virtue of these abuses? Will you give that merit to taxes, which is due only to labor? I have heard that industry had encreased our ability to bear the encreasing burdens of the state, but that taxes were a necessary spur to industry, or that the latter had sprung out of the former, is a doctrine as new to me as it is perfectly strange. * Enquire of the husbandman, to what circumstance he is indebted for a plentiful harvest. Will he not say, *To the sweat of my brow, and the favor of elements?* How would he stare if he were told that he is obliged for the plenty which fills his garners to the invigorating principle of taxes---

* But if it were granted that taxes were really necessary to provoke our industry, it does not follow from thence, that the encrease and continuation of them is also necessary. Experience speaks a different language; it plainly tell us, however opposite the effect may have been in the outset, that taxes do now operate to the extinction of industry.

to that which raises the price of labor---to that which cramps him in his ability to cultivate and improve his land. If you should tell him this, in what manner would he deign to notice the absurdity? By shaking his head and walking away.

QUEST. VI. Whether there are not many thousands in this kingdom, who are neither proprietors of land, nor holders of stock, nor lenders of money, who, nevertheless, are living well, consuming much, and paying cheerfully? * How then in the name of common sense, would the proprietors of land be gainers by the bargain, by taking the proportion of taxes of this class of men upon themselves, in addition to their own? Would they be benefited by paying a much larger proportionable sum under the appellation of a rent-charge, than now is paid under the name of a tax? Can this be looked upon as a consideration, to tempt, requite, and justify our acquiescence in this mighty innovation? Will any man of prudence patronise a scheme which is evidently calculated to lighten his pocket? Can any reasonable person expect it, when so far from being gainers, as he has asserted, all men of

* The fact is, that such as are described do really pay no taxes. See this explained page 179.

property will be losers by the bargain? In fine, what milder inference can be drawn from these premises, and from his readiness to part with his money, than to say, that the author is one of those, of whom no very honourable mention is made in a certain proverb, too apposite to be misunderstood or misapplied in the case before us?

ANS. That there are many thousands in this kingdom, who come apparently within the description above-named, is not to be controverted. And there are some few likewise, in whose degenerate minds, to the disgrace of human nature, no other idea of gain can find admittance, but that of lucre only. To such as these, who are incapable of feeling the force of an argument, which is not drawn from positive but comparative advantage, the proposal in question will give no satisfaction. Wrapped up in the single consideration of self, these purblind mortals exclaim, "It will lighten the pocket," not considering in how much greater proportion it will lighten the heart also. Happy only in the prospect of evading payment which they could not do under this proposal, they circulate a report, and would have it believed that the author has been deceiving us with false pretences, for that so far from being

gainers as he has asserted, all men of property will be losers by the bargain.* But how can any person have the face to practice so grossly upon the credulity of others, as to draw conclusions from half sentences, in order to father upon me so strange an assertion? How can any man be weak enough to imagine that he will be able to avail himself of so poor an expedient to establish a fact diametrically opposite to that doctrine, which I have labor'd to inculcate, which I have taken so much pains to reconcile to the prejudices of my countrymen? To expiate our manifold political sins by some pecuniary peace-offering is that atonement which I have presumed to be not only necessary, but unavoidable. Is it fair then, because it was said, " I much question whether there is a man in the kingdom who will not think himself a gainer by the bargain:" Is it fair, candid or becoming, to reason from thence, as if no more had been said, suppressing that which immediately follows, to clear the sense and mark my meaning;---" taking along with the proposition, the comforts that attend it." As to the proverb, by which is

• That all men of property will be losers is most certain, but not with respect to this bargain, which is all the author meant to express. Except indeed, that in his opinion, the attendant comforts would more than compensate the actual loss.

clearly meant, that my wit may be gaged by my willingness to part with my money, I have only to observe, that whatever may be said or thought of me in that respect by others, believe me, gentle reader, I am no more disposed than yourself to give away my property upon slender grounds, or for useless purposes. The cruel necessity by which we are required to offer up at the shrine of our country the destined sacrifice, is lamented by me as much as by any man. The difference lies in this, that I am willing to make a virtue of necessity, and if that is a mark of folly set me down I pray you as foremost on the list. I wish with all my heart a better bargain could have been made; but blame not me because it is such as it is, provided it is the best that the circumstances of the case will allow.

It is admitted on all hands, that something must be done which may prove effectual to turn aside the dreadful train of calamities expectant upon a state of public bankruptcy in a popular government. *That effectual something* has now been for the fifth time in this manner submitted to the consideration of my countrymen; of which the distinguishing fea-

tures are these,---that it is equal to what is required, *viz.* the great work of our political redemption; and that the load which it lays is distributed in such fair proportion to the relative strength of the parties, that all alike have neighbours fare. Admitting then that our present situation is an evil,---admitting that the mode of relief which is here devised, is likewise an evil, we are so far agreed, and all that remains is to exercise our judgment, as wisdom shall direct, in the choice of alternatives. For this purpose let us look back to all we have suffered already, and then we shall see that in little more than half a century, we have squandered away the sixth part of our property; and had not our own industry kept pace with the profusion of ministers, one half had been gone. Let us look forward to what we must yet undergo, if madly we pursue the beaten path to ruin.---Let us consider what we shall escape by deviating therefrom in the manner proposed, and then determine which of the two is to be preferred,---that situation which never can be better, and must eventually be worse;* or that which never can be worse, and may be as much better as we

* See page 129.

please. Consult Sir Richard,* and he will tell you, that a drug which operates powerfully in desperate cases, must not be rejected, because it is unpalatable; and more particularly, when it comes recommended like the present medicine by these peculiar good properties---that it may be administered with safety---that it is certain in its operation,---that it will not only remove, but extirpate the disease; not by dint of repeated doses, and a long tedious course of pharmacy, but like the operation of a charm, like the touch of divinity, will restore us in an instant from long lost health, to strength and vigor little short of immortality. And are not these very sufficient considerations to tempt us to acquiesce in so mighty an innovation? And in this light viewed, is not the author justified in the use of that expression,---“ We should be “ gainers by the bargain, were it even in addition to our present burdens.” †

IT is my custom to enter minutes of all objections which have been made, within my hearing, to this proposal, either in promiscuous company, in private conversation, or which have

* The late Sir Richard Jebb, Bart. M.D. deservedly esteemed of high repute in his profession.

† See page 6.

otherwise come to my knowledge, by the report of friends. In revising of which, previous to the final adjustment of the press, an objection has been discovered, well deserving note, though hitherto past by in silence.

It states, “ that taxes on consumption are the
 “ fairest, the most equal, the least burdensome,
 “ as well as the most favourable to liberty, and
 “ the disposition of Englishmen, of any that can
 “ be devised, because the contribution is voluntary. The consumer weighs with himself his
 “ ability to bear the tax before he purchases;
 “ he feels himself under no particular restraint,
 “ as he has it in his choice to with-hold his
 “ mite, or contribute in any proportion he
 “ thinks fit, to the wants of the state.

“ How widely different from this plan is the
 “ system of taxation which the author proposes
 “ to substitute in its place. By his system, the
 “ individual must pay, not because *he consumes*,
 “ but because *he possesses*. He is no longer left
 “ to judge of his own ability to bear the tax.
 “ The contribution is no longer voluntary. The
 “ option which was in him is done away,
 “ and he must at any rate contribute, however

“ much he may disapprove the mode, however
 “ greatly the payment may embaras his affairs.’

To which I answer---If this at any period was an objection of weight, it is now no longer so. The time is come when it will not only militate against the system in question, but with ten-fold additional force against that also which is now beginning to be put in practice. The late regulation, * introduced to the house under the patronage of the minister, lays the ax to the root of voluntary payments; and much I fear the stroke will be followed up, till the forest of liberty, of which this is a principal tree, is levelled to the ground. Already too much despoiled of our rights, nothing is wanting to compleat our thralldom, but compulsive payments under the present system of taxation, where ministers have the fingering of the public money. I feel it, therefore, as a duty which I owe to my country, to express my distrust of a man who could sanction a measure of so much mischief. It is such a sample of favour shewn to the cause of despotism, a blow so plainly levelled at liberty, that in my mind it would be adding

• The Commutation Tax.

insult to injury for any one hereafter to call him the friend of his country.

The present juncture, too fatally favourable to bad designs, is aided and abetted by our own demeanour. So true is the old observation, *our debt is enslaving us daily*. That exquisite and agonizing sense of liberty, which alone is equal to the labour of preserving it, and which upon all proper occasions was kindled to a flame in the breast of our ancestors, is no where now to be found amongst us. Inured to restraint by the pressure of taxes, our feelings are blunted to such an excess, we tend without perceiving it to absolute vassalage. Neither is there any other way left, in my discerning, that is equally safe, just, practicable and efficient, by means of which we may extricate ourselves, relieve the state, and save our liberties, independent of that which is here pointed out. The public debt transferred to individuals, will lose the sting that now annoys us. It will operate, and indeed will become to all intents and purposes a private incumbrance, from which every man of prudence may gradually relieve himself.* To lay our account for any substantial good to be

* See page 13.

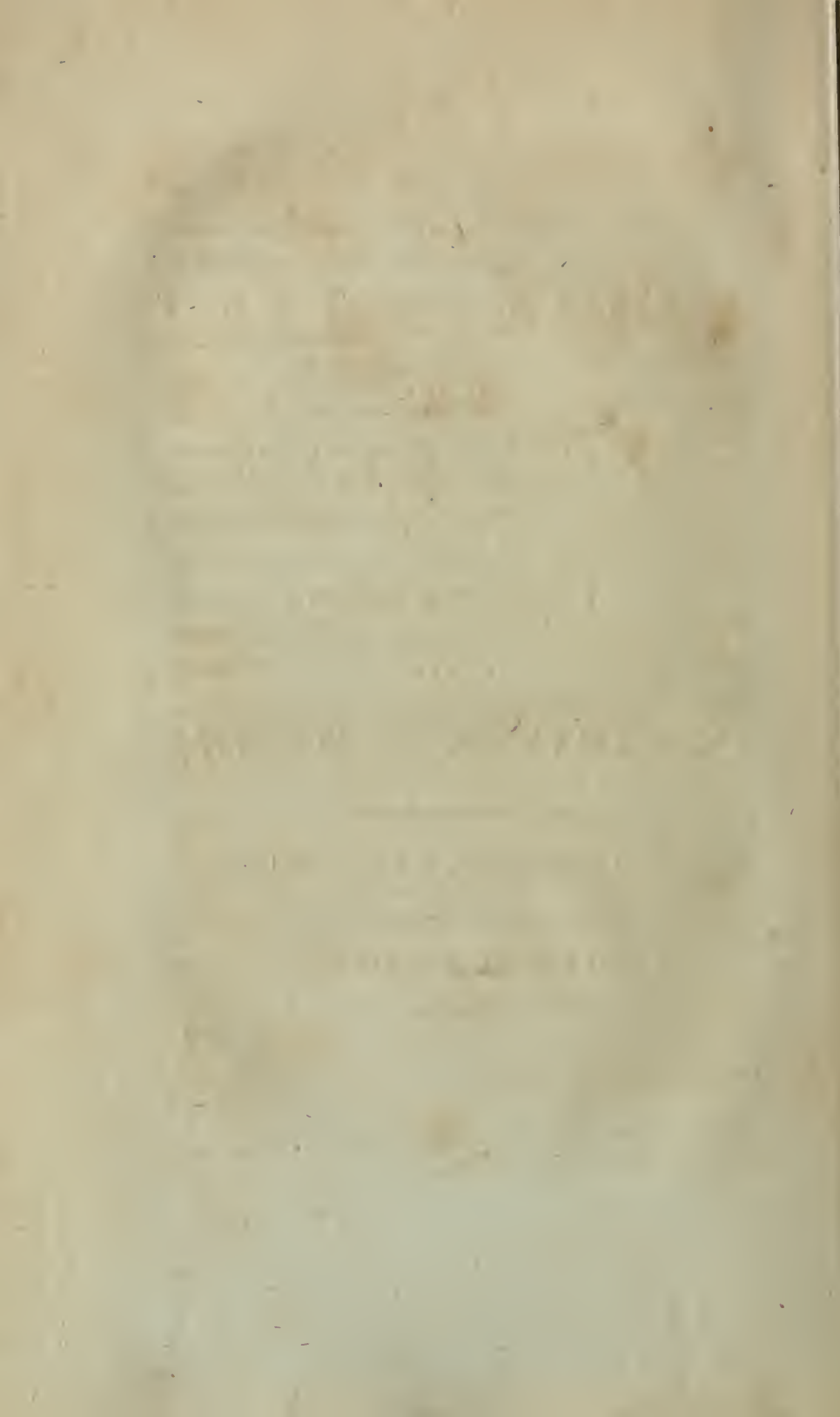
derived from *sinking funds and peace-meal payments*, is to throw away experience. Besides, the mischief which we deprecate and dread, is too close at our heels for any reasonable man to entertain the smallest expectation of relief from such proceedings. Ministers indeed, to keep up an appearance of patriotism, while they laugh in their sleeve at our credulity, do still endeavour to amuse and cajole us with distant visionary hopes of restitution. But in truth, there never was, nor is, nor ever will be a minister of this country, how fair so'er he may comport himself to outward view, possessed of a sincere intention to reduce materially, much less to annihilate the national debt, because it involves the annihilation of his own importance.

It is not, therefore, that we must look up to, or place dependance upon ministers, or on those who aspire to that painful pre-eminence, but wholly on ourselves. It rests with us, with the good people of England, by our own act and deed, to expiate and make atonement for the sins of the nation ; and *by a sacrifice, whose light and heat shall pass the confines of the earth, whose fragrancy shall mount to heaven, draw down the blessing of the God of mercy on us.*

AN
EXPLANATION
OF THE
PROPOSAL
FOR THE
LIQUIDATION
OF THE
NATIONAL DEBT.

O fortunatos nimium, sua si bona norint !

FOURTH EDITION.



AN
E X P L A N A T I O N
OF THE
P R O P O S A L.

TO expiate our manifold political sins by some pecuniary peace offering, is that species of atonement which in the winding up of our affairs has hitherto been deemed an unavoidable, though highly dreaded consummation---That is to say---however much we may have been deterred by the event it involves, from debating the subject, we have never yet been able, when fairly propounded to us, to with-hold our assent from the following proposition---“ That if any wish remains to save
“ our country, it cannot otherwise be accom-
“ plished than by means of fresh contributions,”*

* Mr. Pitt seems to have entertained no other idea when he formed his plan to reduce the debt.

in order thereby to create an overplus which faithfully applied might annihilate the debt in some given time.

Which same opinion, as I conjecture, has grown out of our own inveterate prepossessions in favour of taxes, considered as that mode of raising supplies which is the fairest and readiest, the most efficacious, and the least offensive to our constitution. Not that they are so in fact, but quite the contrary, as has already been demonstrated. * But as that demonstration has not had the desired effect of carrying conviction to the public mind, the following explanation is offered, to supply the seeming deficiency of proof.---But in order to obviate any further misconception of my meaning it is necessary in the first place to apprise my readers, that what has been advanced is not to be understood by them as offered in contradiction to the general idea of a sacrifice, but merely to the mistaken construction of that idea

* Had the preceding treatise been rightly understood, it had long since gone to the compleat discomfiture of these mistakes, viz.
 “ That Taxes are the least offensive mode of raising supplies : and
 “ that it is not possible to re-instate the nation in an honourable way,
 “ otherwise than by heaping upon the backs of individuals great
 “ additional burdens.” The force of prejudice has given stability to those notions, but in fact they are no other than *vulgar errors*.

with respect to the present plan. What is here proposed is certainly a sacrifice when viewed abstractedly; so far therefore the public are right in their conjecture, but in as much as they conceive it to be a greater sacrifice, they err exceedingly; for though the proposition lays a load, it does not lay a heavier load; so far from it, that with reference to that which we now bear, it is more properly an *ease*ment than any thing else, it is rather an *alleviation* of a burden grievous to be borne, than any burden of itself fresh and weighty laid upon us.

Herein then are the public mistaken, not in the quality of the thing, but merely in the quantity. *It will lighten the pocket*, say they,--- whereas in fact it will not lighten, but replenish our exhausted coffers.

And now to the matter in hand. The reader will please to take notice of that which is said in the seventh page of the proposal, *viz.* “ No
 “ objection surely can be made to this arrange-
 “ ment, which takes up the room of all other
 “ national demands, though it lays in lieu of
 “ them a less incumbrance upon the proprietors
 “ of real estates than they pay at present for land

“only.” As also of that which is said in another place, page 16. “In consequence of
 “this more enlarged and equal distribution, the
 “landed interest, notwithstanding the vast accumulation of public debt, will not even in
 “time of war be so much loaded as was the
 “original express intention of the legislature to
 “load the land exclusively in cases of that kind.
 “That is to say---the aggregate sum to be paid
 “in lieu of land and all other taxes will not
 “amount, *flagrante Bello*, to four shillings in
 “the pound.

As these are facts of which every man who is at all conversant in figures may soon be satisfied, * a moments thought will convince him that such counties as are in the practice of paying four shillings in the pound for land, are now in time of peace in a worse situation, than that in which I only mean they should be placed in time of war. That is, they pay four shillings in the pound for land, and bear beside their apportioned burden of all other taxes.

Whereas by this Proposal, admitting the burden of all other taxes revived in time of war,

* See the Calculation, page 52.

to be the same as now in time of peace, there will yet be a saving in the article of land-tax.

For instance,---It is proposed in lieu of taxes to burden real property amounting to fifty millions per ann. *, with a yearly payment of eight millions ; † which payment is equal to a drawback on rents of three shillings and two-pence halfpenny in the pound nearly.---It is further proposed, in time of war, when taxes will have a temporary revival, ‡ to levy the land-tax according to the present amount by an equal rate, § affecting not only the land-holder as now, but in due proportion to their clear receipts all other persons who are entitled to payments, secured upon land, or upon proprietors of land.---In other words---It is proposed in time of war, to levy two millions in lieu of the present land-tax, by a rate affecting equally the whole property of this country, valued at sixty millions yearly ||.---Now---Two millions to be raised upon sixty millions is eight-pence in the pound exactly.

* See page 5. † See page 7.

‡ See the Amendment of a pound rate in lieu of taxes proposed here to be revived in time of war, page 151.

§ See page 15. || Ditto, page 6.

s. d.

The sum therefore to be annually raised in every pound of fifty millions, in lieu of the present taxes, *viz.* } 3 2½

And the further sum which in time of war only is to be raised on every pound of sixty millions, in lieu of the present land tax, *viz.* } 8

Together make an aggregate of

3 10½

Which little sum, although it covers the whole interest of our present enormous incumbrance, and makes besides an annual allowance of expenditure in time of war of two millions, falls short of that rate which is *now* paid by many counties for land *alone* in time of peace three half-pence in the pound!

It is therefore clear to a demonstration, it is self-evidently clear, that it is more tolerable for *such* counties to be *at war* under the *new* regulation, than at *peace* under the *old* one.

Having thus fairly stated the war account with these gentlemen, I shall proceed next to

contrast and lay before them the peace establishment.

It has been asserted by very able and well informed members both of the upper and lower house of parliament, that any person who will give himself the trouble to calculate the amount of the land and other taxes, will find on a moderate computation that they cannot be laid, *in what he spends*, at less than fifteen shillings in the pound, or seventy-five per cent. * This then is the present contribution of such counties, to the state, in time of settled peace.

* In what degree, or to what extent we are really affected by public burdens is variously conjectured; the most prevailing sentiment is that which is here produced. The duke of Richmond however took occasion not long since in his place to declare it as his opinion, that the pressure is not less than seventeen shillings in the pound. Lord Newhaven on the contrary, in his treatise on this subject, computes it at two hundred and twenty pounds only in every thousand independent of customs and land-tax; which amounts to four hundred and twenty where the land-tax is paid in full, and five hundred and ninety including the customs; computing the pressure of taxes and customs to be as their bulks, and taking the bulk of each from his Lordship's own statement. It costs us therefore by his account very little short of twelve shillings in the pound, or sixty millions annually in satisfaction of a revenue of fifteen millions.

Let us now look back to the amount of that incumbrance, wherewith the Author proposes to saddle his countrymen.---It amounts to little more than *three* shillings in the pound, ---instead of what?---instead of fifteen shillings---to *sixteen* pounds per cent. instead of *seventy-five*.

So that those gentlemen who are either unavoidably, or through choice, in the habit of spending their incomes, saving thereby of what they spend in the proportion of fifteen shillings to three, or thereabouts, may live as well and fare as daintily, and yet lay by, for rainy days, or for their childrens use, four fifths of that which now is needlessly extorted from them.

As thus,---A person who now for the support of himself and family, expends an in-

Whereas a revenue of fifteen millions collected by a pound rate as here recommended, would stand us in no more than one hundred and fifty pounds in every thousand, or three shillings in the pound on his Lordships computed rental of one hundred millions per annum. Which to those who now pay the full land-tax would be a saving of nine shillings in the pound and five and forty millions yearly in every hundred millions to the nation at large.

come of 300l. per ann. purchases therewith
 what would cost him under the new regula-
 tion no more than 123l. per ann. *viz.*

	£. s. d.
Sixteen per cent. in lieu of the } present taxes,	48 0 0
Intrinsic value of commodities, <i>viz.</i> } one quarter of 300l.	75 0 0
	<hr/>
	£. 123 0 0
	<hr/>

A gentleman therefore of 300l. per ann.
 will have it in his power, without any varia-
 tion in his mode of living, to set on foot an
 accumulation for the future support of his
 younger children, of 177l. per ann. nearly.

Instead of which as matters are now managed,
 the father of a family, with an estate of 300l.
 per ann. can barely make his income meet
 his necessary outlays,

But as it is here proposed to rate possessions, and
 as we are now only required to contribute as far
 as we spend, there are some who, on that account,
 in hatred to this new doctrine, lay to its charge

an intention to discountenance prudent men, by shutting the door against frugality ; and to give encouragement to spendthrifts by opening it to extravagance. But it is surely too hard a censure of the plan to say it gives encouragement to vice, because the good it brings may be abused. To judge of it with fairness, it is so far from furthering the wicked in their bad designs, that it has a manifest tendency to reclaim the prodigal, by putting it in his power to do a deed of worth, without abridgment of his pleasures, and thereby lead him unawares to virtue. And though there is but too much reason to believe that the prospect of reform in *some* is little better than a forlorn hope, yet it is surely becoming and praiseworthy to make the trial; and more especially when it can be done not only without injury to any one, but with manifest advantage to those also who would, but cannot now perform the duties of their station.

In order to set this matter in as clear a light as possible, let us suppose the case of a man of 900l. per ann. who spends no more than a third of his income.

Present system.

From 300l. the sum spent, deduct for £.
 taxes 15s. in the pound, or 75l. per } 225
 cent,

New system

From 900l. the yearly income, deduct in }
 lieu of taxes 16l. per cent. } 144

Yearly balance in favour of the New }
 System } 81

Let us in the next place suppose the case of
 a man who is in the receipt of 900l per ann. and
 spends his yearly income.

Present System,

From 900l. the income spent, deduct for £.
 taxes 15s. in the pound } 675

New System,

From 900l. the yearly income, deduct }
 in lieu of taxes 16l. per cent, } 144

Yearly balance in favour of the New }
 System } 534

The man therefore of 900*l.* per ann. who is not able or willing under the old establishment, to save a shilling, may live in all respects the same under the new establishment, and lay by yearly more than half his income.

But as these calculations are made for the meridian of such counties only, as pay the full four shillings in the pound for land, I have yet to shew that there is no county in England which will not, more or less, derive advantage from the bargain.

For this purpose let us suppose the case of a county which pays no more in the pound than twelve pence, the case so put will stand as follows :

Present System.

From 300 <i>l.</i> the sum spent,	deduct for	£.
taxes 12 <i>s.</i> in the pound		189

New System.

From 900 <i>l.</i> the yearly income,	deduct in	} 144
lieu of taxes 16 <i>l.</i> per cent.		

Yearly balance in favour of the New	} 36
System	

Second instance where the whole income is spent,

Present System.

From 900l. the income spent, deduct for } ^{£.}
taxes 12s. in the pound } 549

New System,

From 900l. the yearly income, deduct in }
lieu of taxes 16l. per cent. } 144

Yearly balance in favour of the New }
System } 396

And now that the matter in hand is made perfectly clear to all understandings, can it be possible that so comfortably interesting an intimation will continue to be received with coolness! Will it not rather be gratifying to us in the extreme to find ourselves possessed of this happy truth, that we have it yet in our power by an easy process, by one familiar stroke of policy, --to *save the nation*, and to *serve ourselves*---to liquidate most honourably the public debt, and more than double private fortunes. Neither is this all, but at one and the same time, to cherish trade, make commerce flourish, arts and artists thrive, and population multiply to such excess, as wholly

to remove those fears that are afloat. *---And lastly, though not least in consequence, reform the state, by rooting out corruption from the land, more certainly, than by a thousand penal statutes,

There are some however who look down with an evil eye on this proposal, from an opinion that they see therein the necessary fall of rents †. They cannot bring themselves to be-

* The jealous dread of rivalry in trade, from the threatened interference of Ireland, and of ruin to our manufactures from the extension of Excise-laws.

† So far from having the effect which some have dreaded, the very reverse of it must take place. It surely stands with reason that the less the annual income of the kingdom is encumbered, the more must the landed interest flourish, for then the product must go off quickest, when clogged the least by impositions. To set that income clear must therefore be more particularly our interest, as independent of these advantages which all the subjects of this country will share in common with one another, we who have *real property* from thence will derive an advantage which none besides will share with us; for rents will rise, and payments which are slack, will then become both regular and certain; as is obvious from this circumstance, that nothing can more effectually promote population than this contrivance. And as people are the real strength and riches of a country, and England, as all agree, would naturally bear and nourish a third part more of inhabitants than it does at present, the value of lands and rents would rise as certainly with our encreasing numbers, as lands and rents bear a better price near a populous city, than they do at a distance from it.

lieve that rents can possibly maintain their ground when those commodities which cost three hundred pounds may then be had for seventy-five. But it is quite out of the way to suppose that rents can be affected by the sale of commodities which have no reference to farmers' dealings. Besides, in any point of view, the notion is a misconception of the truth. For the real value of things is neither enhanced by taxes, nor depressed by their removal. We purchase taxed commodities which cost us now three hundred pounds, but we pay no more for the goods themselves than seventy-five, the overplus is altogether tax. Therefore the latter sum deducted from the present selling price, is no deduction from the value of the thing on sale. In either case the value is the same, the same abstractedly the purchasers expence, the same the traders gain.* For it is that part only

* The present price of every commodity is a compound of cost, profit, tax, and imposition; which latter sum being more or less incident to every tax is that which renders the present mode of raising a revenue so peculiarly distressing. For almost in every instance, when one farthing only is required by government, advantage is taken to raise the price at least a penny, as every mans experience in obvious points can bear witness.—From which it is fair to conclude that the same abuses prevail throughout. We all of us complain of this treatment, and yet

which in aid of government was fictitiously added to its real price, that is meant to be deducted. The operation of which will have no other effect, than to bring the article back to its own intrinsic standard of worth, the same it would have had in every instance under view, had no such impost taken place. Presuming, therefore, that it will be conceded to me, that profit on that fictitious part of price, is not in the fair course of trade, the fact is proved as I have stated it, that there will be no variation of profit to trade, or cost to purchasers, in either case.

Having so far cleared the ground, I shall next proceed to shew in what way I conceive the change to be favourable to all parties. For this purpose, let us suppose the case of an article whose selling price is five shillings, and that the exigencies of government require a tax to be laid

we endure it. But why do we murmur and not redress ourselves. Because we conceive that taxes in our situation are essentially necessary to the support of government, and that these abuses incident to taxes are not remediable. We therefore endure it to keep from our doors, as we believe, a greater evil. But the truth is, that taxes are not necessary to good government, but are rather subversive of it, as tending to strain or exhaust our patience improperly exercised.

thereon of ten shillings, the selling price will then amount to fifteen shillings. In what is sold the cost and profit is the same as it was before the tax had birth; but will the same number of purchasers be found at fifteen shillings that there was at five? And so far as it falls short, so far will trade be injured by the tax. The *quantum* of single profit is no object, it is the accumulation of profit from ready and extensive sale by which the dealer is enriched. Taxes, therefore, of all kinds, by raising the price of commodities, and thereby reducing the number of purchasers, are an essential injury to trade. And in the same proportion that trade is thereby injured, the commonwealth is injured also.

P O S T S C R I P T.

AN objection has been made to the gross amount of taxes on expenditure. The estimate of 75l. per cent. is said to be over-rated, and an opinion has gone forth, that the representation given is rather the caricature than the picture of our sufferings. The basis of which opinion is this---“That the Author’s calculation
“ might possibly be just were every article of

“ expence the object of a tax. But happily for
 “ us, there are many articles of expence, which
 “ have not as yet fallen under the notice of go-
 “ vernment.”

Such is the argument, but how long it will be suffered to remain an argument, is another question; neither indeed is it any thing more in the mean time than speciousness, an outward shew of some solidity, when all within is air and emptiness. For every man who manufactures, every man in trade, *avowedly*, considers what himself is rated to the state, and lays a load to that amount at least, on those commodities in which he deals. We therefore pay, as things are circumstanced, double or a triple imposition---that is, we pay our share prescribed by parliament, and further what is thought sufficient by the craftsman first, and then the traders, to indemnify themselves against the public claims. So whether they are taxed or not, one point is clear, that every thing we buy is more or less advanced in price, by reason of the taxes. Then what would be the consequence should this pernicious system cease?---*Commodities would daily settle down and find at length their proper level.* Our wants would then be served at prices

very much reduced, without reducing intermediate gain. And thus, without the smallest loss or detriment to any one concerned, commodities would pass through all the necessary hands, and find their way to us, abated of their price, in full proportion to the compound ratio of relief administered to those which intervene, as well as to ourselves.---This most material circumstance, was probably forgot or overlooked by those that did object, and therefore named to justify the Author, and to free from doubt his *frightful* calculation.

By the preceding statement of facts, the following truths have been brought prominently forward,---That we have hitherto been fundamentally wrong in our way of proceeding,---That the prevailing system of financering has been our fundamental error,---That it has had the pernicious effect of sharpening our appetite for war, by furnishing supplies too readily,---That the mischiefs which have grown out of that error, are in part without remedy, the blood and treasure which has been wasted and spilt cannot be recovered,---But that further mischief may be prevented,---And that there may be some considerable alleviation of what

we suffer at present from past misconduct,--- by no greater exertion on our part, than to get the better of groundless prejudice,---to open our eyes to obvious truths, and these performed to grasp the good provided for us.

And when with a full determination of this kind, we shall come to explore the ground on which we tread, whose inward substance worn away has left us nothing but a rim remaining,---when we shall view, I say, and at once contemplate these horrid matters,---
 “ The gulph that yawns beneath our feet ! The
 “ thinness of that incrustation which alone pre-
 “ vents us from rushing headlong !---The little
 “ likelihood there is of its sustaining us under
 “ the shock of another war, when further exca-
 “ vation will become necessary !---The certain
 “ expectation of fresh troubles, and the too pro-
 “ bable contingency of their near approach !”---
 When ills like these shall rise to view, and there comes in aid this happy reflection,--- “ That
 “ the risk we run is merely local, and may be
 “ avoided by stepping aside !” What crime shall then be theirs, and what should be their punishment whose obstinate infatuation is such, as will neither permit them to see the one nor

practice the other? Or theirs who no less culpably supine, though they see and own the danger real, had rather perish than rise to prevent it.

Could all such men be singled out, and unconnected with the rest be made the victims of a fate they seem to court or will not shun, it would be weakness to waste a thought upon them. But embarked as we are in the same bottom a common fate attends us all. For our own sakes, therefore, and not for theirs, but for those more worthy who may succeed them, let us shift while we can to better quarters;---let us take the ground already marked where prudence points the way,---where interest leads---where danger cannot come---where safety dwells and beckons to us.---Let us take the height, resembling that which glory took upon the Calpean rock, where we, like our *immortal Chief*, * by pity more than passion moved, secure like him from harm, like him may gaze upon the silly machinations of our foes, whose phrenzy stirs them to provoke our vengeance.---

* General Elliot, late Lord Heathfield.

F I N I S.

A P P E N D I X.

TO those gentlemen who have done so much honour to me by their approbation of this proposal, and so much credit to themselves by their unwearied efforts to set on foot this desirable business, to those Gentlemen, in my present invisible state, * I am not in a capacity to return thanks in the way I could wish---by personal acknowledgment. But I will do all in my power to prove my gratitude; I will endeavour to make known and perpetuate the disinterested purity of their well directed zeal, by giving the narrative of their proceedings, which appeared in the form of two letters addressed to the Editor of the

* The author was then unknown.

Newcastle Courant, in the County of Northumberland, a more general circulation than it could possibly have experienced in a provincial paper. And as the vein of reasoning which runs thro' the whole of that performance is an exact transcript of my own sentiments, exhibiting, in glowing colours, a picture which is for ever present to my mind when I muse upon the subject, I think myself particularly happy in an opportunity, while it is yet in the press, of enriching this edition with an Appendix so much to my purpose,

And who can tell, as a worthy friend of mine, to cheer me with a ray of hope, expressed himself,---And who can tell what important consequences, and beneficial effects, may yet result from these beginnings? Providence often exalts itself by producing the most salutary benefits out of the most unpromising means: *A little fire kindled in Northumberland may extend its light and heat to the whole kingdom, so as to preserve from utter destruction this seemingly devoted country,*

The Narrative addressed to the EDITOR
of the NEWCASTLE COURANT is as
follows:

SIR,

October 15, 1783.

AS the question which was brought forward
in the grand jury room at the last assizes,
respecting the Liquidation of the National Debt,
the Abolition of Tythes, and the Reform of
the Church revenue, has awakened very ge-
neral attention; and as the public, who are
so deeply interested in the success of this mea-
sure, are well entitled to every information
relative thereto, the following authentic nar-
rative of the proceedings is laid, by means of
your useful paper, with all submission before
them.

As soon as the customary business was finish-
ed, and the foreman * of the grand jury had
given notice, that there was other matter of
a public nature to come before them, the gen-
tleman, who principally bestirred himself in

* Sir William Middleton, Baronet.

that concern, arose and addressed the company in the following words,

GENTLEMEN,

Having now gone through the whole of the business for which we were summoned upon this occasion; before we disperse, I beg leave to call your attention to the consideration of two points---*The present most alarming state of the public debt---and the no less alarming claims which are daily set up against us by the Church.* Both of these from small beginnings, in a very short space of time, have grown up into grievances, which, if not speedily and effectually removed, can hardly fail of drawing down upon our own heads, and will certainly heap upon those of our children, every possible disaster which can befall us, as a people. The application, I say, must be speedy and effectual; for so critical is our situation, and the growth of the evils of which I complain so rapid and luxuriant, that if they are permitted to take deeper root, and extend themselves further, our case will soon become desperate, without hope of other remedy, than that which it will have in common with all mortal diseases, to work its own cure by the dissolution of the body.

For as we must suffer a diminution of strength, in proportion to the increase of these evils; and as the means which we now possess, are but barely sufficient to enable us to discharge the outstanding demands, and to reserve for ourselves any thing like a comfortable remainder, (to which surely in all reason and justice we are entitled) if any addition is made thereto, what must be the consequence? Finding ourselves unequal to the discharge of them, without reducing ourselves to beggary, we shall of course resist the payment; Government on the other hand will attempt to enforce it: a struggle will ensue; in which both sides, as is usual in such cases, losing sight of justice, will aim only at the depression of the other. In this manner we shall proceed from bad to worse, till all respect of persons, till every distinction betwixt man and man, till all subordination to law, till liberty itself is swallowed up in the all-devouring vortex of civil dissention. This, Gentlemen, with too much probability on its side, may be said to be an abstract of the history of the times which are now approaching. You will all agree with me, that it is a consummation most devoutly to be avoided. But how, and in what manner to

avoid it, that is the question. While it remained a question, Gentlemen, I was silent upon this subject ; at least in this public manner I was silent : though many a time and oft, in private conversation and in secret, have I bewailed our impending calamities, the ingredients of that bitter cup, which as we journeyed, was preparing for us, as I thought, by the hand of fate. I am now, however, of a very different opinion. The film which had obstructed my sight is removed from before my eyes, and I can see clearly and distinctly that the dreadful potation, so far from being ours by unavoidable necessity, is only so by choice---that it is in our power to reject it---to put it away from our lips to a distance for ever ; only by deviating into another path, which will lead us to the temple of our political salvation : a path, which however rough and rugged it may seem, compared with those ways which we must otherwise encounter, is as the smooth surface of a lake unruffled with winds, to the mountaneous waters of the ocean, in its height of ill humour. I have said thus much, Gentlemen, to convince you of the reality of the declining state of our public health, and of the absolute necessity of having

recourse, without loss of time, to those medicines, if any such there are, which may restore our vigour. I proceed now, with infinite satisfaction, to inform you, that a specific has been discovered, by means of which we may attain to the summit of our wishes. This book, Gentlemen, which I hold in my hand, this little book compleatly instructs us in what manner to prepare a balsam, which being poured into our wounds, deep and dangerous as they seem, will heal them in an instant. Nothing is wanting but sufficient resolution on our part to apply it; of which I can have no doubt, when you are convinced of its efficacy; and I have either lost my judgement, or I am blinded by my partiality, if that conviction does not follow, as a matter of course, the attentive perusal of these sheets. When I speak of an attentive reading, I do not mean to insinuate, that there is any thing difficult or abstruse herein to be met with: on the contrary, it is all plain and perspicuous, insomuch, that those who run may read and understand. Yet some little time will be necessary for that purpose; I shall therefore propose, if agreeable, an adjournment of this meeting till to-morrow morning at nine o'clock,

or any other hour which may suit the convenience of the company. Gentlemen will then come prepared to give an opinion, and if it shall appear that you concur with me in approving of the plan, which otherwise I must think I have taken upon myself rashly to recommend, I will inform you what steps I have already taken to introduce it to the notice of that person, * who sits at the helm of the vessel in which ourselves, our families, and all our fortunes are embarked. I have now only further to observe, that having determined to bring this matter publicly before you, and being aware that many Gentlemen might be here present, who had neither seen or heard of the proposal alluded to, I took the precaution of desiring Mr. Fisher, the Librarian, to be provided with copies of the pamphlet, sufficient to answer any probable demand which might be made upon him; and in order to save time and trouble I desired that he might attend this morning for the purpose of distributing them.

And now, Gentlemen, agreeable to the intimation I have given, I beg leave humbly to move, That this meeting be adjourned till to-

* The Duke of Portland, then Prime Minister.

morrow morning at nine o'clock, then to assemble, at this place, for the purpose of taking into consideration the contents of a pamphlet, entitled, " A Proposal for the Liquidation of the National Debt, the Abolition of Tithes, and the Reform of the Church Revenue;" and to determine how far, and in what manner, it may become us to interfere, in recommending the same to the notice of the Ruling Powers.

The motion being handed to the foreman, he read it to the jury, when it was immediately seconded, and after some disultory conversation, was agreed to without opposition. — However, at the request of some of the jury, who declared it inconvenient to give their attendance the next day, the foreman applied to the judge, and the jury were discharged.

At the hour appointed the company assembled the next morning, and the late foreman being requested to take the chair, opened the business by reading the motion of the preceding day, when the Gentleman, who had

before addressed the jury, arose and spoke as follows.

GENTLEMEN,

IT would very ill become me, who have been indulged with so patient a hearing, to intrude further upon the time and attention of this company, if it was not necessary for me to explain the hint which I threw out yesterday, by giving you positive assurance, that the proposal before us is, at present, in contemplation of the Minister. I speak this, Gentlemen, from the evidence of letters which have passed between the duke of Portland and myself, relative to this subject. The letters themselves are of considerable length, I shall not therefore obtrude them upon you: it is sufficient for our purpose to put you in possession of the fact---“ That I “have already secured the attention, and I “hope the patronage of the Minister, to any “thing of this kind which you may be pleased to recommend.” I must not, however, omit to caution you, to consider that which I have said respecting the patronage of the Minister, to be rather descriptive of my wishes,

than of his avowed intentions ; having indeed received, as yet, no assurance of support.

The ground however is sufficiently cleared, ---we may enter fitly upon deliberation ; and may proceed in it, till we are agreed upon that mode of conducting the business, which shall seem most likely to keep pace with our desires, to relieve ourselves, and serve our country, by carrying this design into immediate execution. What I mean by immediate execution is, that the object should be pursued unremittingly, and with as much dispatch as is consistent with the dignity and importance of the subject in hand. It must, no doubt, be referred ultimately to parliament ; and, perhaps, it would be as well to make our advances at once, by a petition to that body, rather than enter into previous associations, a practice not universally approved, and therefore, in this case, to be avoided ; for I could wish to have this business taken up and conducted on ground which is liable to no objection.---But having already exceeded the bounds I had prescribed myself, I give way, most readily, to any other gentleman who

may be disposed to deliver his sentiments upon this interesting subject.

A profound silence ensued, which was succeeded at length by a conversation, in which by turns almost every gentleman present took a part. From which it appearing to be the general wish that we should take longer time to deliberate, it was moved, "That the further consideration of this question be postponed to the day next succeeding the quarterly sessions first ensuing:" To which an amendment was proposed, to adjourn *sine die*, but this amendment being presently withdrawn, the original motion was again put, seconded, and carried without further opposition.

ON the 9th of *October*, agreeable to the purport of the motion at the former meeting, a very respectable company assembled in the Town-Hall, at *Alnwick*, though many gentlemen, who were expected to have favored the meeting, did not appear: and even a great majority of the magistrates attendant upon the

essions, for whose accommodation, at their own particular request, a considerable delay was incurred, were yet obliged to absent themselves on account of business, which continued to lengthen out the sessions beyond all expectation. Soon after two o'clock, Mr. Collingwood of Unthank being requested to take the chair, opened the business by a particular statement of that question which had stood over for decision, and having resumed his seat, the gentleman, who had originally proposed the discussion thereof, arose and addressed the company as follows,

GENTLEMEN,

THE interval of time, betwixt this and our former meeting, has taken off the force of that objection, which occasioned a temporary suspension of the judgement which now awaits the question before us, and which must, in some measure, determine its fate. It cannot now be said, as when we were last assembled upon this business, that we are taken by surprise; sufficient time has been allowed for deliberation, and I make no doubt but every

gentleman here present has turned it to advantage. And though my zeal, like the flame which is lighted in youthful breasts at beauty's eye, and which urges them on to the consummation of their wishes with eagerness that cannot brook delay, although my forward zeal, I say, to serve my country, made me consider this adjournment, when first proposed, as a loss to the public, and hurtful to their cause, a moment's reflection convinced me of the error of that opinion, and pointed out to me a variety of advantages, which, till then, had escaped my notice. It occurred to me in the first place, from what I had already experienced of the matter, that we had much more reason to expect to overcome prejudices, to clear away doubts, to surmount difficulties, and of course to weaken, if not annihilate opposition, and increase the number of our friends---I say it occurred to me that we had much more reason to expect a plentiful return of these, and such like benefits, than the reverse of any of them, from a longer and more familiar intercourse, from a closer and more scrupulous investigation of the subject. I considered further, that by means of this delay, we should be able to shelter ourselves

from that reproach, which has, upon all occasions, been observed to follow close upon the heels of hasty counsels. For such is the nature and disposition of man, without any previous examination of the merits, they annex indiscriminately, to all indeliberate proceedings, an idea of rashness, or something worse: not considering their own relative situation at the time, not considering that the sentence which they pass is a condemnation of themselves, and that the blow, which they thus aim at another's head, recoils with double force against their own: But yet the fact is such; from whence I conclude, that had you brought this matter to a more early decision, however obvious the truths you had advanced, however fair your intention, how wisely soever you had determined the point, the world would have given you no credit in either case. Had the current of your opinions run counter to my wishes; it cannot be supposed you would have escaped from blame. If, on the other hand, by strong conviction urged, and by the best of all possible motives, the sober, chaste, and genuine love of your country,---if borne along by these you had swelled, with your approbation, the full tide of my hopes, still there

would not have been wanting those who would have accused you of acting under the influence of that very spirit, which forms a principal part of our plan to keep down and extinguish. And thus, Gentlemen, from the mere circumstance of our own well meant but misguided zeal, we should in all probability, have defeated the best purpose of our heart, have lost a question of such fair expectation, in which, as in a mirror, we may view reflected a scene of inexpressible happiness, prepared not only for ourselves and our immediate successors, but extended in prospect, with increasing beauty, to all succeeding generations. But if, in the first awkward moments of formal introduction, while we were yet strangers to one another, and with an eye of prejudice obliquely viewed our new acquaintance,---if, in that early stage of the business, we had stood condemned in the opinion of the world, by putting a negative upon this question, what I pray you will be said of us now, if we should set our faces against this reform? What will be said of us now, when with greater shew of justice, and with more deserving, we shall have laid ourselves open to the censure of mankind? When our present

transgression, compared with the former offence, is in that proportion which wilful and premeditated murder bears to the casualty of death by thoughtlessness occasioned, or some sudden start of passion? Will it not be said, that we are determined enemies to the welfare and prosperity of this realm? Shall we not be reprobated as men who are leagued, or at least who court an alliance with those who drink their neighbour's blood, who feed on the spoils, and enrich themselves with the wreck of this sinking state?

If there yet remains, in the breast of any man, a doubt respecting the expediency of this measure, in recommendation of which I have exerted myself, upon this and former occasions, to the height of my poor abilities,---if any doubt remains, taking it for granted that truth is our only aim, and that we are all equally intent upon the discovery, I beg leave to observe, that it is more particularly incumbent on those who doubt, if they would act a consistent part, to bestir themselves in promoting an enquiry, which alone can open their eyes to conviction, and without which

they may for ever remain in the same state of perplexing uncertainty, which, of all other possible states, is that which is most painful to an ingenuous mind. Besides, Gentlemen, it should be considered, that we are not assembled upon this occasion to determine finally, whether the proposal before us shall or shall not be moulded into the constitution of this country; whether it shall or shall not be passed into a law; we are met here only, as it were, a grand jury upon the question, in whose province it is to decide, from the evidence of worth before us, how far we are justified in recommending it to the notice of parliament. When it comes there, it will be analysed and sifted to the bottom: and if, in consequence of that *fiery trial*, a discovery is made, that we have been deceived by appearances,---that it contains nothing of intrinsic value,---that it is a mere composition of base unprofitable metals,---no blame will rest with us, nor will injury accrue to the public or to any individual. If, on the other hand, it shall come forth from the mouth of the furnace, pure, unimpaired, and refulgent; what joy will be our portion, when we look forward to the comforts that are in store! And

when there is so promising an appearance of success, with advantages, attendant thereon, so rare and excellent, nor any risk of blame, or detriment in case of failure, can any gentleman hesitate respecting the part which he should take this day! You cannot sure demur, if love of honest fame has life within you, when you consider the praises that will be due, the thanks that will be given to those men, who, not despairing of the commonwealth, did bravely face this *formidable Hydra, this all-devouring monster*, which hath already swallowed up so considerable a part of our property, nor yet is satisfied, but stands prepared with multifarious jaws, extended wide, to gorge that portion which remains. You cannot sure demur, if it were only to gratify your feelings, when you take into the scale of inducements that fountain of exquisite pleasure, which must for ever spring up in the minds of those men, who having had the firmness to bid defiance to this threatening danger, and the virtue to persevere, had likewise the good fortune to return triumphant from the charge, amidst joyful acclamations, *seated gloriously in the hearts of their grateful country.*

I beg leave, therefore humbly to move,
That leave be given to read a petition to
parliament, praying them to take under con-
sideration the contents of a pamphlet, enti-
tled, " A Proposal for the Liquidation of the
" National Debt, the Abolition of Tithes, and
" the Reform of the Church Revenue."

This motion being read from the chair,
seconded by Vice Admiral Roddam, and passed
without a dissentient voice, the petition al-
luded to was read to the company, and the
business of the day concluded with the fol-
lowing motion :

That this petition be referred to a county
meeting, and that the high sheriff be requested
to call a meeting for that purpose.

Which motion, being likewise handed to
the chairman, was put, seconded, and carried,
without opposition.

The following is a Copy of the Petition.

*To the Honourable the Commons of Great Britain
in Parliament assembled.*

*The humble Petition of the Persons whose Names
are hereunto subscribed,*

SHEWETH,

THAT your Petitioners have seen, and read, and duly considered the contents of a pamphlet, entitled, “ A Proposal for the Liquidation of the National Debt, the Abolition of Tithes, and the Reform of the Church Revenue.”

That your Petitioners, feeling for the present distresses of the State, and dreading the certain effects of the further growth of those evils, the removal of which is the subject of that performance, are of opinion, that a design, which has for its aim the political salvation of this country, the happiness of the community at large, and of every individual, and which proposes to work its effect by means which are, apparently, both safe and honourable, is entitled to the attention of parliament; Your Petitioners, therefore, beg leave

humbly to recommend the proposal in question to the notice of this Honourable House, praying them to deliberate thereon, and, if in Their wisdom it shall seem meet, that They would be pleased to take the necessary steps to give it the form and force of law.

And your Petitioners shall ever pray, &c.

The business having proceeded thus far, and the public at large being now put in full possession of every particular, want of information is certainly no longer an admissible plea. And as it cannot be supposed that want of attention to a subject, which is allowed on all hands to be highly interesting to individuals, and of great national importance, can be pleaded, in excuse, by any man who wishes well to his country; it is presumed, that the next meeting, of which timely notice will be given in this, and the other Newcastle papers, will be both numerous and respectable, in support of the measure.

To the Printer of the NEWCASTLE COURANT.

SIR,

I BEG the favour of you to lay before the public the conclusion of the business relative to the subject of my former letter, as follows :

Agreeable to the intimation of the printed advertisements in the Newcastle papers, the Gentlemen assembled in the Town-Hall of Morpeth; at one o'clock in the afternoon, the 26th instant, when Mr. Collingwood of Unthank being requested to take the chair, opened the business, by stating the particular question before them ; and having resumed his seat, the gentleman who had requested the honour of their attendance, addressed the company in the following words ;

GENTLEMEN,

I think it incumbent upon me to say something in explanation of my own conduct in this business. I beg leave, however, previously to lay before you the contents of a paper written in answer to several objec-

tions, and transmitted for the benefit of the objecting parties, to a worthy friend and correspondent of mine, * who had done me the honor to name the difficulties to me. Of which paper I think it necessary to make this public exhibition, lest other gentlemen, who are not in the circle of that communication, entertaining the same objections, and not having the like opportunity of receiving satisfaction, may be induced to withdraw their countenance from a design, which otherwise they might think entitled to their best support. This paper differs somewhat from the original in point of form,---the objections are made general, as coming from the public,---and the answers, which are severally annexed, are more distinct and full.

The several objections, with the answers, are as follows:

OBJECTIONS.

1st. We are not competent to decide upon this measure, and therefore we cannot, with

* Thomas Bigge, Esq; Benton-House.

any degree of propriety, take part either in favor of the question, or against it.

Answer. Such gentlemen as excuse themselves on this pretence, have entirely mistaken the point. *It is not required of them to decide upon the measure,* but merely to refer it to the decision of others, who are certainly competent.

2d. We do not approve of a petition to parliament.

Ans. Such as do not approve of a petition to parliament, disapprove of that which is clearly the most constitutional mode of proceeding; and which, indeed, in the present case, is the only proper one, being an application in the first instance, to that body, which is not only vested with a power that is suited to the purpose, but with an exclusive privilege to give birth to all bills which have any relation to money.

3d. The author's calculation differs widely from all others that have hitherto appeared in

print, which is enough to deter us from meddling in the business.

Ans. This objection expresses a doubt upon a point very material to be rightly understood, and therefore operates in full recommendation of the enquiry proposed. Agreeable to former calculations, we are at this moment an undone people, the one half of our property is already swallowed up. Can any man of feeling rest in his bed with such a vision, though but in idea, before his eyes! If no other use was to be made of it, in consideration of our own ease and happiness, it is incumbent upon us to investigate this point with nice precision. Let the discovery be what it may, there is nothing that can possibly befall us half so dreadful, as the state in which this cruel objection has placed us.

4th. We do not think it reasonable to compel every person of the same neat income, but differently circumstanced in respect of the number of children, to contribute the same sum to the service of the state,

Ans. This objection not only cuts up by the roots the present plan, but all other payments that have yet been imposed, and with them every idea which has hitherto been entertained of impartial distributive justice. What is said respecting the disproportion of numbers in different families, applies only to particular cases---to those persons who are blest with a numerous offspring, ill exchanged, indeed, for the better ability to bear the burdens of the state. And even this fearful disparity, which is the basis of the argument, disappears upon a general comprehensive view, by which we find that all families in the long run, taking one generation with another, are nearly upon a level in respect of numbers.

5th. We object to that power with which, in order to ascertain the *quantum* of taxable property, an officer of the crown must be armed to examine every incumbrance that affects an estate---A power which is still more intolerable than that which is at present entrusted to an officer of excise.

Ans. This, indeed, would be a very serious objection, but happily, it has not even the shadow of existence. On the contrary, the landed proprietor being required to make good the full payment in proportion to his income, will himself be armed in return with a power to deduct that proportion, which is due from others who hold securities under him. All incumbrances, therefore, which affect an estate, will remain exactly upon the same footing of secrecy, as at present. However, to give perfect satisfaction upon this head, I beg leave to observe, that it is not intended to make these payments to government at all, but to individuals properly authorized to receive such payments for their own use. Government will have no concern whatever in the business, otherwise than a trustee, to enforce payment, if attempted to be withheld, whose interference, as salutary to individuals, is allowed in this case, but in no other.

6th. The uncertain produce upon this experiment, together with the novelty of the matter, inclines us to give the preference to the old system.

Ans. Provided the Author's calculation of the value of real property is a just one, which I take upon me to proclaim a truth, nothing can be more certain than the produce upon this experiment. Respecting the mere novelty of the matter, that objection can have no weight, when we consider, that to all appearance the design is both safe and honourable, as well as efficient.

7th. We object on account of the precarious state of that revenue by which we are to provide for the defence of the kingdom, and uphold the credit of the nation.

Ans. It rests upon the great basis of commerce, the support of us all, the means by which we have risen, and when it fails, we fall together.

AND now, Gentlemen, having gone through the whole of the objections, and furnished such answers as, I trust, will prove satisfactory, I consider this as the last necessary effort of my exertions. You are now finally to determine

whether I have hitherto been engaged in a fruitless enterprise, and in vain endeavours to do you service. That I have laboured in your vineyard is well known to you all; but with what success, and whether I have been usefully employed, remains with you to declare. The hour of retribution is at hand. Not that I ask, or expect, or indeed, were the same in my offer, would accept other reward, than that which I hope to take in common with yourselves, under favour of the present design. At a moment like this, the most awful of my life, when with the fears of a culprit, though not with his guilt, I stand trembling before you, nothing could support me under the pressure of that anxiety which I feel for the impending fate of this question, and the burden of such heavy accusations against me, but a consciousness of fair intention, of sincere and disinterested zeal in the service of the public.----Accusations not indeed openly, and manfully brought forward, but lest with timid caution to the construction of others, as necessary deductions from discourse seemingly casual, but framed in reality, with infinite art and address, for that particular purpose. It is a vulgar phrase, and I will

not speak so disrespectfully as to apply it to any man, but of these allegations I must needs take the liberty of saying,---Give them but rope, they will hang themselves. I am aware, Gentlemen, of the severity of this sentence; but when I have stated to you the particulars of the case, if you think I have judged amiss, I stand here for correction.

I say then that to insinuate as some have done, that I have proceeded thus far without hope of success, is in my humble opinion to pronounce me senseless or insane; and that I think is not your meaning. To alledge that I have no wish to succeed, is to say that I am void of sincerity, and that, I trust, you will not say. To assert that I have put myself forward upon this occasion, in fond expectation of making a favourable display of such slender talents as have fallen to my lot, what is this but to say, that I am the weakest and most vain of mankind; and at a time of life, when the judgment of other men is only ripened to perfection, that mine has gone back, or run wholly to decay. For, surely, in the wide range of nature, there cannot be produced an instance of greater folly and pre-

sumption, than for me to imagine, that a subject, which is of itself an intellectual feast, full of flavour and poignancy, could stand in need of the insipid seasoning of my harangues to make it relish upon your palates,

To say that I have taken advantage of the author's concealment, to share with him in the praise of his performance, or what is still worse, to engross it wholly to my use, is to exhibit me in a point of view that is truly ridiculous. It implies that I have arrayed myself in borrowed plumes, in order, self important thus to strut and stare before you. But if I have done this, if I have ever attempted by word or deed, directly or indirectly to induce a belief that I myself was he, when I was no other than a counterfeit, let my accuser stand forth, and I will give him such proof of his error, or as the poet expresses it,

Such damning proof, that henceforth he shall fear
To tax my wrath, and own my conduct clear.

Do not mistake me, Gentlemen, it is not my meaning to lay under restraint the conjectures of any man, it is not in my power,

and as little is it my wish to do so; all of which I complain is, that I have been accused of giving encouragement to their particular direction. While the matter is in doubt, the speculative mind, for its own entertainment, or that of others, may spin without offence his web or cobweb of surmise; which of the two it may prove I will not take upon me to determine; its real value can only then be known, when in the fulness of time the author shall think fit to reveal himself. Hitherto there has been no filiation, no one yet has either owned or disavowed relationship,---the child is therefore yours to-day, 'tis his to-morrow, the next it may be mine, and thus by turns the credit which it gives is shared amongst us. So let it be---I can have no objection to this distribution; to more than this, so far as it concerns myself I do object.

It is the author's present wish to lie concealed---'tis so expressed. Does any one believe that this proceeds from whim? Can you imagine that he is either afraid, or that he need be ashamed to make himself known? Then wherefore should we grudge him this indulgence? There is but one good reason

on which to found a wish that it was otherwise, which is, that the public in the mean time are deprived of the benefit of his services. Yet possibly we err in this conjecture. Because he is unknown, it does not follow, that he has hitherto been inactive, or that he is not at this time in some place, employed in forwarding the great work which he has set on foot, as effectually, and perhaps more so, than if he were here standing in confession before you. Far be it from me, then, to attempt to draw the veil aside; and further still, to say or do ought which might create a suspicion, that I was assuming to myself what belonged to another. Let who will, therefore, have the merit of preparing the dish, be it remembered, that I have put in my claim to no other, than that which appertains to the very humble occupation of bringing it to your table, and placing it before you. Except, indeed, that I have endeavoured, by every persuasion in my power, to prevail upon you to eat thereof; fully convinced that it is not only wholesome food, and conducive to health, but necessary to life; that without it you must die, not indeed the death of the righteous, but if you feel cor-

viction the same as I do, of the worst of parricides, of men who wilfully embrue their hands in the blood of their country.

I will now speak out, it is no time to be inealy-mouthed: Have you no feeling? Are you palsied? Are all your faculties benumbed? Have you not eyes or ears, have you not seen and heard, or does it remain with me to acquaint you, that a confederacy is formed, that the clergy are united to a man against us, that they have entered into a general subscription in support of their cause, not the cause of religion, otherwise we should gladly have borne a part; but to do that on which a curse has been entailed from the beginning---*to move their neighbour's land mark*---and shall we not confederate likewise, shall we not bodily oppose this irreligious design? Or will you wait singly, wrapped up in sloth, and stupid insensibility, till it comes to your particular turn to feel the painful effects of that cruel persecution, which is raised by the church against us? If such is your determination, you are indeed deserving of the worst that can befall you in that respect.

As to public matters---you see the present state of the funds? *Bankruptcy and rebellion stare us full in the face!* and by what means is it proposed to avert these dire calamities? By œconomy, and a sinking fund. * Oeconomy! of whom? Of ministers! And are you still that easy, fond, believing people? Are you still willing to trust your salvation to the *Oeconomy* of ministers, so often tried in vain? After the experience which you have had of so many years, of so many men, of so many broken promises, you cannot surely be such egregious dupes, as not to perceive, that those who have proposed a sinking fund for that purpose, had no other meaning but to throw dirt in your eyes, that you might not pursue and overtake them in their tract of iniquity. It is, indeed, most truly called a sinking fund; it is a fund that would sink this, or any nation; it is the fund of corruption. By doing that which I have recommended, you will relieve ministers from the trouble of looking out for resources; and if they are wise, and are up-

* See Mr. Fox's speech on the address, as printed in the London papers.——— See also similar declarations from the present Chancellor of the Exchequer, Mr. Pitt.

right, they will adopt the measure for their own ease, as well as the public good.

You will likewise emancipate yourselves from the influence of that power, which they must ever retain over the resolutions of men, to wind them to their purpose, while they continue to have the fingering of the public money. It is a power not fit to be trusted in the hands of any man, or set of men. All that have yet been concerned have invariably abused it, and as all have, the fair presumption is, that all will continue to do so. Till this is done away, there is no redemption for us; and when 'tis done away, you have cut up corruption by the root, that baleful plant, which sickens all our virtue. Ministers will not open their private purse in support of venal adherents, and there is none else that will be left in their reach. I do believe the present minister * is an honest man, and as such I contemplate his situation with pleasure, and look up to him with a joyful hope of support. But whether I am founded in this opinion or not, it is our duty to unite, and enforce perfor-

• The Duke of Portland.

mance. The love of our country, and the great law of nature, the law of self-preservation, demands it of us. I have said it before, and I repeat it again, there is no other alternative. You must either do this, or something to this effect, or mischief will ensue, such as the sun's all-piercing eye hath not yet looked upon in this island. To prevent which, by rousing you from the slumbers of self-security, by pointing to your danger, and to the means of escape, and not, as some would have you believe, to pull the nodding ruin on your heads, have I left the shades of retirement; quitting that, which to me is a paradise, that to which I shall return, having effected my purpose, not only without regret, but with rapture, like unto that which is felt, after painful separation, by hearts well tuned to one another.

What I am now saying reminds me of another circumstance more material to be discussed, and fully explained, than any which I have hitherto touched upon, as in all probability the fate of the day will hinge thereon.---It is laid to my charge that I cherish, and give entertainment to ambitious thoughts.

To which I answer---I am not indeed without ambition, but it is not of that cast of which I am accused. But what if it were? While it is kept within due bounds, while the object is neither unlawful, nor unbecoming my station, by what logic can it constitute a crime? If mere ambition is a sin, which of you will throw the first stone? A seat in parliament is said to be my aim: admitting that it is, does any one object? Have I not pretensions? However deficient in ability, you perceive that I have the will to serve the public; and the situation in which I stand, in point of fortune, thanks to the prudent care of my parents, has placed me far above any temptation to do the thing which is wrong. And are not these the necessary ingredients of which the representatives of the people should be composed? But it is whispered that I aspire to the honor of obtaining this mark of distinction, by means of your particular favor. Ah! there is the rub! There are others who entertain ambitious thoughts, which interfere and are incompatible with those which are attributed to me. It is therefore necessary to depreciate me in the opinion of the

world, to represent me selfish and designing ---that I do not appear before you in my proper character---that I am not the disinterested person I would palm upon your credulity---that I am here in disguise---that I have only taken up this question as a fit subject for popular declamation, hoping thereby to wheedle myself into favour, and turn your attention aside from others which are more deserving---that the public advantage is a mere pretence;---in a word, that I have no other meaning but to serve myself.---What! That I have blasphemed my country's sacred name, by making use of it as a cat's paw---as a stalking horse---as a step-ladder to preferment! Perish the thought! And he that harboured it---may heaven forgive. And will you then, ---to give the argument its scope---and will you then betray your country's cause to keep a wretch like me, a worthless individual down? It cannot be: or if it can, it must not be; a crime like this would blot the fairest fame. The commission of which having it in my power to prevent, there would indeed be good room for complaint were I not to interpose. Then hear me while I speak.---If there is honor, truth, or faith in man, believe me,

Gentlemen, I have no private ends to answer ---I have no aim but that which is the immediate object of the design before us---I have no views but such as are obvious and apparent to you all. And however absurd it may seem formally to reject that which has never yet been in my offer, the peculiar circumstances of the case warrant the proceeding. I do therefore, here, in your presence, not only disclaim every intention of the kind which some have imputed to me, but do utterly renounce and abjure the idea. Neither do I pretend to make a merit of this: it is an easy sacrifice when duty and inclination go hand in hand. For in truth, all that I feel of ambition, is to have it in my power to effect something in my journey through life, of essential service to my country: and having succeeded, all I would ask in return, is to be permitted to take back with me to my retreat the comfort it would yield me. And now, Gentlemen, that I have disburdened my mind, and cleansed myself thoroughly from all my political sins, whether real or imputed, and removed that obstacle which alone could operate as a bar of separation between us, I trust there will not be found, upon the

present question, two minds in this company. In full confidence of which, of your hearty and unanimous support, I shall venture without further hesitation to move,

That the petition which was produced at the meeting at *Alhwick*, and is now before you, be approved and adopted by this respectable meeting.

THIS motion being seconded by Mr. John Askew, the petition was read; and no one rising in opposition, the opinion of the company was taken from the shew of hands, which in the first instance appeared to be doubtful, but upon a second division was clearly against the motion. And thus was this great question lost, for the present, by a *silent vote*.

Nov. 27, 1783.

AFTER so much previous success, the failure in this last instance requires explanation. The fact I find is this. Agreeable to the resolution entered into at *Altwick*, application was made to the late high-sheriff, * a gentleman of fairest fame, of unimpeached integrity, who, strange as it may seem in a person of that description, and stranger still in one that favoured the design, refused, upon some mistaken opinion of informality, to call the county together. This unforeseen, this inavertable event, disconcerted the parties, deranged their plan, and seemed to threaten danger. It was therefore proceeded against as an evil, whereas in fact it was no otherwise an evil, than as it was made to produce one. The ship now fairly launched, and waiting for a wind, securely might have rode a while at anchor. Instead of this, an expedient was thought of, which brought about the wreck of the vessel, even in the body of the harbour. A meeting was again advertised in a private name, which was evidently a work of supererogation, the proposal having already received the sufficient approbation of private

* William Hargrave, Esq; Shawdon.

meetings. Gentlemen who were aware of this, absented themselves, avoiding the trouble of a needless jaunt. Others who were present took no part in the business. Of those who voted, the whole together did not amount to twenty four ; the number in opposition must clearly, then, at any rate, have been too inconsiderable to prove decisive. From which circumstance, and from the known zeal of the supporters of this measure, I am confident there can be no such idea entertained as that of acquiescence under the present determination. I shall therefore look forward with eager expectation of further and better tidings from that quarter. Hoping, wishing, praying in the mean time, to hear at some not distant period, that *the love of present ease and emolument*, that gangrene of the heart, which alone can prevent the progress of this design, has abated its virulence, and left that noble part, from these impurities made clean, to act upon the will, for general good, as Nature's God designed it,

F I N I S,

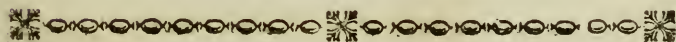


PART THE SECOND,
CONTAINING
THE
EFFICACY
OF A
SINKING FUND
OF
ONE MILLION PER ANNUM.

The Propriety of an actual PAYMENT of the
PUBLIC DEBT.

The TRUE POLICY of GREAT BRITAIN,

The CONCLUSION,



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THE
EFFICACY
OF A
SINKING FUND
OF
ONE MILLION PER ANNUM
CONSIDERED.

THIRD EDITION.

H 2

PART II.

THE

EFFICACY

OF A

SINKING FUND, &c.

AS we have now seen all that is meant to be done at present by the Minister for the relief of this oppressed country, it behoves us to examine how far his good endeavours are likely to prove effectual to the end proposed, viz. *the gradual diminution of the National Debt.*

And in order to give every possible advantage to the plan produced, let us suppose, that in every succeeding period of twenty-eight years we shall have no more to encounter than eight years of war, and that those eight years of war shall be preceded invariably by twenty years of peace. Let us suppose farther, that all things respecting the revenue shall have gone on so smoothly, that in the course of twenty-eight years we shall have paid off by purchase fifty millions of our debt, and that forty of those fifty shall have been paid off during the term of the twenty years peace.

It is obvious from these premises, that our situation at the supposed commencement of the next war will be this: that over and above what is necessary to defray the ordinary expences of Government, over and above the interest of the remaining debt, and the million to be applied to the sinking fund, we shall have in hand to begin the war a revenue of 1,600,000*l.* per annum arising from the interest of the forty millions bought up by Government.

Supposing then that the war disbursements shall amount *communibus annis* to 9,600,000*l.* it would seem that the whole deficient sum to be borrowed yearly would be eight millions. But the fact is otherwise, for the whole of the revenue in hand cannot be applied, even the first year of the war, to war disbursements; a certain proportion of it must necessarily be set aside to pay the year's interest of the money to be then immediately raised. A farther portion of it must in like manner be set aside the second year of the war to pay the interest of the money to be borrowed that year; and in this manner we shall have to proceed year after year till the whole is again appropriated, which will take place about the fifth year of the war; at which period we shall be brought back to the precise point from which we had started five and twenty years before. So that even supposing we might then be able to put an end to the war, it appears, that, so far from having advanced, we shall not have budged in all that time one single step forward in relief of our country: that is to say, our debt will be the same it is now, and our revenue will be the same, yielding no surplus but that which it now yields,

of one million per annum for the sinking fund. Our only consolation will therefore be this, that we are not in any worse situation than we were in the year 1786, when the plan of redemption was set on foot.

But by our computation we have yet to reckon upon three years of war to be carried on altogether with borrowed money, and of course that all consolation will fail us, inasmuch as we shall have to set ourselves down at the end of twenty-eight years near thirty millions of money more in debt, and in that proportion more burdened with taxes than we are at present. From which it follows, that so far from its operating to our relief, the public debt, under management of the plan proposed by the Minister, will continue in a progressive state of increase of one hundred millions every hundred years.

Neither is this all, however great and alarming it may seem; neither is this, I say, the whole extent of the mischief which may overtake us: for we have hitherto proceeded in this inquiry, upon a supposition that the periods of peace and war shall in future be to

one another in the settled proportion of eight to twenty. Nay we have gone farther, we have even supposed a case in which the proportion of years on the favourable side is as four to one, and yet what has resulted from these suppositions? An unavoidable accumulation of debt in the first instance; and in the second, no farther accumulation indeed,---neither any diminution of debt or burdens. Viewing it therefore in its most favourable light, the plan proposed goes at least to this,
---To establish in this country a perpetuity of payment to the present amount.

But to what more than this will it go, if it shall so happen in future as it has hitherto befallen us for a series of years, that the periods of peace and war shall be nearly upon an equality? To what then must we look forward, but to speedy and inevitable ruin! What if a twenty-years peace shall be succeeded by a nineteen years war? We have seen already, that in five years of war we shall have eaten up all the hoarded provisions of a twenty-years peace, and of course that we shall have to run in arrear for the remainder of the term at the rate of 9,600,000*l.* per annum, which in

fourteen years will accumulate a fresh debt of 134,400,000*l*. Admitting, therefore, that by means of the sinking fund, and other contingencies, we shall have paid off in the course of the last fourteen years of the war 34,400,000*l*. there will yet remain one hundred millions, to be added in less than forty years, to the present enormous bulk of the national debt ! How much farther then are we distant than this period from the tremendous crisis of our country's fate ?

Let us now take up the matter upon that idea of Mr. Pitt's which is most flattering to our hopes ; let us suppose, for instance, that the powers of Europe shall have laid aside for a while all jealousy of this country ; let us suppose them to have so far lost sight of any danger to themselves from our aggrandisement, as to have abstained industriously from all occasion of quarrel with us for eight and twenty years, in order thereby more effectually to enable us to recover our strength, and make ourselves formidable. Let us suppose farther, that we on our part shall have conducted ourselves in a manner so wary, wise, and inoffensive, as to have furnished them with no

colour of pretence whatever to commence hostilities with us in all that time. Let us also suppose that we shall have paid off in eight and twenty years such a proportion of our debt, as that over and above the ordinary expences of Government, the interest of the remaining debt, and the million to be applied to the sinking fund, we shall have a revenue in hand to begin the war of 3,000,000*l.* per annum. Even in this case, which is the most favourable that can be supposed, we shall only have to revolve in a circle of thirty-seven years instead of twenty-five; for in nine years of war we shall return again to that identical point from which it is now proposed we should take our departure. But what certainty have we, or what probability is there that we shall be able to put an end to the war at that most critical period? And if it shall come to pass, that, instead of a nine years war, we shall have a war of fourteen years, which is only half the term of the supposed preceding peace, an additional debt will be incurred of fifty millions, with burdens of course proportioned thereto. But what if it shall so happen, which is not unlikely, that after a peace of eight and twenty years from this time, which, with the four

years of peace already gone, will make an interval of thirty-two years between the close of the last war and the beginning of the next; if it shall so happen, I say, that we shall then have to succeed to a nineteen years war, we shall find ourselves, at the end of that war, which is before the expiration of half a century from this time, one hundred millions more in debt than we are at this moment: at which rate, could it even be possible for us to keep our legs so long, the whole income of England, *apite of the sinking fund*, would be spent and out-run in a very few centuries!

We have now seen both the light and the dark side of the proposition before us: we have seen, that in bare possibility it may prevent an increase, but that it cannot at any rate effect a diminution of the national debt. But is this all which we have seen? Have we not seen likewise, that the greater probability is, that it cannot by any means operate to prevent the ruin of this country? Let us turn away, however, for the present, from this last reflection; let us take off our eyes from the darker side, and place them on that only which is most enlightened: let us weigh and contemplate

the measure in its best effects. Even in this light considered, the utmost it can do for us will not mend our condition ; all it can do will only be to prevent us from growing worse. And is this enough ? Will it content us to be told, that all which there is of comfort in this plan, and all which there is of advantage to be derived from it to this country, under circumstances the most favourable, amounts but to this :---*That neither ourselves, nor our posterity, shall be more or less burdened than we are at this moment !*

I have now only to request before I conclude this address, that credit may be given me for the unfeigned sincerity of the following declaration,---*That I have not taken upon me to advance these truths, for such I believe them to be, with any other design whatever but to serve, by so doing, the general interest.* I have too considerable a stake, independent of that love which I bear my country, to have any wish to obstruct the operation of salutary measures ; but for the same good reason it is, that I cannot look with an eye of indifference on those proceedings which I am verily persuaded have a contrary tendency,

If any one should say in return, that the plan recommended by the Minister has this advantage at least, that it is better than no plan at all, and that it very ill becomes me, or any person, to find fault with it who cannot produce a better; I have only to answer to such reasoning, that it is quite superfluous for me to declare what opinions I hold respecting the most feasible mode of paying our debt; the world are already in possession of my sentiments on that subject. * Admitting therefore the propriety of such reasoning, it will not, however, apply to me in the case before us, who humbly conceive that a much better plan than that which is now produced has already been laid before the public.

Besides, the fact is, that I do not object to the Minister's plan on any other account than that of its weakness and inefficacy. It would answer the end proposed if the surplus was large enough; but how to encrease the surplus sufficiently without bending our necks, already too much bowed, till we touch the earth, is not easy to be devised. There are

* See the Proposal for the Liquidation of the National Debt in Part I.

but two ways that occur to me of effecting this; the first is, that all men should determine forthwith to be honest and true to the State; in which case I have no doubt but the present taxes would be sufficiently productive; the other is *—but on farther thought, I must beg leave to be excused from naming it, because I am clearly of opinion it will not be adopted; and that if I was to explain myself, it would answer no other end but to bring clustered about my ears all the drones in the kingdom, or, at least, all the drones of superior order.

Having now, therefore, shewn that the Minister's plan of a million surplus is big with disappointment at least, † if not with ruin to this country;—that it cannot in any course of events, which we can reckon upon, be productive of any good consequences whatever;

* The abolition of all great sinecure places whether in Church or State.

† The bursting of that bubble which the Minister had blown evinces the truth of this observation; for now it is clear to all the world from the circumstance of the new loan, that the boasted surplus is mere delusion, and that so far from diminishing the debt, we are absolutely adding to it in time of peace.

that it may indeed serve to amuse us for a while in our emaciated state, but that it cannot at any rate restore us to health---Having shewn besides, that in all likelihood we may be thus entertained by it in a fool's paradise till death at once shall overtake us; or even supposing that we may be able to survive repeated shocks, that we have nothing to look forward to but distress and beggary, inasmuch as the whole of our possessions would be spent in a period of no great length---Having shewn these things, it is now, when the eyes of all men are open to see and distinguish the truth, when their understandings are convinced that they look up in vain for salvation in any other way, it is now, I say, that I am more than ever encouraged to hope that the good people of England; uniting together in the cause of their country, will, without farther loss of time, require *that* at the hands of their rulers, which never can fail us, which must prove effectual---*a fair distribution of the National Debt.*

April 24, 1785.

P O S T S C R I P T.

IT has been objected to the plan of distributing the debt in the manner proposed,* that it will lay a perpetual rent-charge upon the property of this country. But have we not seen that the Minister's plan will do the very same thing, if it does no worse, only with this difference, that it will do so to a much greater amount? Then let any man, who has the faculty of distinguishing between right and wrong, determine this point; let him say which of the two plans is to be preferred; that which is the greater evil, or that which is infinitely less; that which establishes a payment in perpetuity, subject to all the well-known disadvantages of the present system of finance, or that which establishes not only a much smaller payment of the same kind, but one that is clear of all the others disadvantages; and to which is annexed, all that there is of good in the opposite scale;---which, in truth, is every advantage that can possibly flow to us from the circumstance of a nation

I

* See the plan which is here alluded to, in the first part of this publication.

like this being clear of debt. Let him determine, I say, which of the two plans is to be preferred, that which involves the continuance of debt and taxes, and in all likelihood their farther increase, or that which in one moment will set the nation at large, in respect of its debt, which secures the abolition of all taxes in time of peace, and which, by a temporary revival of them in time of war *only*, supercedes the necessity of plunging again into difficulties. Let him say, whether the preference is due to that plan which bears us down with its weight, (the pressure of which has never been fairly estimated at less than fifty per cent.) or to that which will press with a weight of sixteen per cent. only, supposing the income of England to be no more than sixty millions per annum, and less than ten per cent. if the income is one hundred millions, as a noble Lord * has given us encouragement to hope. It is needless for me to say where the preference is due : and if it goes in favour of the latter plan, † under such circumstances as have here been described, how much more

* Lord Newhaven in his late patriotic address to the public.

† See the plan which is here alluded to, in the first part of this collection.

must it do so when we consider that the Minister's plan does, indeed, create a perpetuity beyond relief; whereas the other is no more a perpetuity than a mortgage is such, from which every man of prudence may gradually relieve himself. * The only improvement which I shall venture to suggest is this,---that instead of providing for the annual exigencies of war by a temporary revival of taxes, whose additional pressure would be fifty per cent. at least, that the annual supplies should be raised during the continuance of our troubles by a pound rate, which, at ten per cent. would accumulate more money into the Treasury than all the taxes, be easier collected, and sit lighter upon us in the full proportion of five to one.

* See page 13.

S U P P L E M E N T.

THAT delay which has unavoidably grown out of the requisite press correction of these remarks has given me time, before they are finally submitted to the public opinion, to cast my eye over Earl Stanhope's observations on

the same subject. And it is now, with all due deference to his Lordship's great abilities, that I take upon me to say, that his Lordship's plan recommended to us in lieu of that which he reprobates, * weighed together with events which must necessarily be taken into the same scale of consideration, is not equal to the accomplishment of what it professes. His Lordship states, if I do not misconceive his meaning, that the whole national debt will be paid off by the operation of his plan in fifty-one years from the present time: by which I understand, that the nation will *then* be clear of debt. But is not this to beg a question, in the first place, which cannot be granted, and afterwards to reason and draw conclusions from thence, as if it were really assented to and allowed? Does it not pre-suppose this circumstance, (which, indeed, is essential to his purpose,) that these fifty-one years shall be years of peace? But who is there that will admit conclusions which are drawn upon trust of this most improbable supposition! Or who is it that will not rather suppose that **one** half of those years may be years of war? And in such case, who does not see how materially disfe-

* Mr. Pitt's.

rent our situation will be, at the end of fifty-one years, from that which we have heard described by the noble Earl Stanhope!

In addition therefore to those seven persons who have been brought forward by his Lordship * in review before us, let us suppose an eighth person to stand forth and say, *That a good plan is that, †* which is so far from making it necessary for us to wait with patient suffering the gradual decrease of our present incumbrances ;---which is so far from depressing us with fears, that before the proposed diminution could in any very sensible degree be brought about, we should be called upon again to swell the bulk of what remained in tenfold proportion to the annual decrease ;---which is so far from bringing conviction to our mind, that all we can do will be doing no more than to stave off for a while the evil day, which, sure as death, and in point of time as life uncertain, must come upon this country ;---which is so far from holding out to us this most pitiable consolation only, that although it may possibly so happen that our-

* See Earl Stanhope's publication

† His Lordship's phrase.

selves may not live to see the tremendous conclusion of this business, yet that our last moments must necessarily be imbibtered with this reflection, that it cannot be shifted from our immediate successors, but that those who are dearest to us must drink to the dregs this cup of affliction;---which is so far from haunting us through life with endless apprehensions of impending danger, and torturing us in death with visions of woe, to be realized on our children;---which is so far, I say, from giving us occasion to look forward to certainties like these, which, whoever shall live to see, will but lengthen his days to lament his existence; ---*that a good plan is that*, and that only is a good one in our situation, which *at once* will remove our fears, give ease to the subject, and strength to the state; which *at once* will free the nation from debt, and exterminate taxes: and which, to crown the whole, will *at once* provide such inexhaustible and ready supplies in time of war, as *shall utterly and forever extinguish the abhorred idea of a national debt.*

Mr. Pitt's plan is evidently *not that plan*, neither is Earl Stanhope's, nor yet Mr. Fox's;

but there is a plan which no man has publicly fathered,* but which, in truth, will do all that is here required of a good plan; and as the author of it expresses himself, will, by so doing, *restore us in one moment, without dread of relapse from long lost health, to strength and vigour little short of immortality.* See page 40.

April, 29, 1786.

* The Filiation has at length taken place, for the circumstance of concealment was beginning to operate mischievously. A jealousy had arisen that there must certainly be more in the plan than met the eye, some consciousness of wrong that deterred the Author from shewing his face. Besides, it was differently viewed by different parties: the friends of Ministry considered it as an attack upon the Premier; Opposition considered it as a mere ministerial production. Beset on each hand in this manner by strong contradictory accusations, all progress of course was effectually barred. But yet those jarrings were not without their use; they furnished light to the unprejudiced mind to discern, that in no possibility could either the one party or the other have had any thing to do with the proposal in question. But, in order to smooth the way to a general concurrence of sentiment, something more was necessary to be done by which to clear the ground of fears and jealousies on every side; and that in no other way could be effected than by an avowal on the part of the Author, by which the minds of men being effectually relieved, the expectation became reasonable, that one and all would return calmly to the consideration of a question which professes no less than to hold in its chaste embrace every valuable concern that we have in life.

F I N I S.

THE
PROPRIETY
OF AN
ACTUAL PAYMENT
OF THE
PUBLIC DEBT
CONSIDERED.

THIRD EDITION.

THE
P R O P R I E T Y
OF AN
A C T U A L P A Y M E N T, &c.

BEFORE I enter upon the subject which is expressed in the title page of this performance, it will be necessary to say a few words in explanation of that which has been advanced by me on a former occasion, respecting the plan of equal distribution. *

A rumour has been circulated, that in order to carry the plan alluded to into full and fair effect, it will be necessary to pry into and

* See the preceding Treatise.

make discovery of every man's circumstances. It is therefore contended, that if it is meant to be left to individuals to make the discovery, the scheme will be defeated, for there is no person that will voluntarily do so; and if it is meant to extort the secret of every man's situation, by legal question, it is a measure that will defeat itself, for the dread of it will depopulate the island; not a man who is worthy the name of Englishman will be left in its confines. Neither is this all which is urged by the tongue of fame against the proposition; for setting aside this circumstance, the scheme is fraught, as fame reports, with other mischief, having a direct tendency to precipitate that ruin which it professes to avert; for what trading nation like this could possibly survive a day under the baneful influence of such a law!

In answer to which, I am proud to say, that I am so much charmed with the spirit of those who thus object, that I verily think I could die with pleasure in such company, and would sooner perish than yield to the pressure of realities like these. But in truth, there is no foundation whatever for this alarm, and of course there is no such romantic occasion

existing for us to devote ourselves. It forms no part of the plan, of which I am speaking, to explore secrets. Private transactions will remain, for any thing that is there to be found, in the same state of privacy as ever. All that is necessary to be enquired into for this good purpose is known already. The funded income is known, and so is the improved rental of every district throughout the kingdom.* These are facts which do not admit of concealment; and, independent of these, there are none beside which come within notice of this regulation. It is provided by the author of it, in the original concoction of this design, that no question shall be asked of any person respecting his circumstances; it is also provided, that no inquiry shall be made which may lead the way to such discovery. Should any one who hesitates bid me turn to this provision, my answer is, that it is not indeed in such sort provided by any particular clause; but the plan itself is so constructed, that no discovery of the kind has any connection with its operation, or can be of use in any stage of the business.---For farther satisfaction on this

* By means of parochial rates.

head, let us trace the outline, that the plan may be heard in its own defence.

It is proposed to transfer the public debt to the great body of proprietors of the known and visible income of Great Britain, meaning thereby that particular income which arises from houses, land, and public funds; the amount of which being stated at 60,000,000*l.* and the debt at 240,000,000*l.* it is obvious that the debt is equal to four years income.

This debt transferred, it is farther proposed to make it bear interest of 4*l.* per cent. and that those persons who are the ostensible proprietors of such income, shall likewise be the ostensible paymasters of such interest; but it is not proposed that they shall take upon themselves the whole exclusive burden of this public debt. The great body of proprietors will indeed be made responsible for the whole interest of the debt, and each in full proportion to his nominal share of income; but no person will have to pay out of his own pocket that full proportion of interest which belongs to his share of income, except the nominal income which he holds is also to him a clear income; for

in such proportion as any man's share of income falls short of a clear income, in like proportion will the amount of his payment of interest fall short of that full payment for which it is proposed he should be made accountable. Let us put a case;---Suppose a man who is in possession of 500l. per annum to be indebted in such a sum, as that the interest of it shall amount to 100l. per annum; in this case, the creditor or creditors will have to pay one fifth, and the proprietor four fifths of that lot of public interest which falls to the share of such proprietor; that is to say, the proprietor will have to contribute as his quota 64l. and the creditors as their quota 16l. making together 80l. per annum, which is the interest at 4l. per cent. of 2000l. or four years income of 500l. per annum. But the creditors are required to make their particular payment to the proprietor himself, and to no one else; and in order to secure such payment to the proprietor, who has made accountable not only for his own, but his creditors' share, it is proposed that he should be armed with a power to detain that full proportion of payment which by this plan is due from others who hold securities under

him. (See Propo. p. 14.) Seeing then that no third person either has or can have any concern with this part of the transaction, or need be made privy to it, the fact is surely proved, that for any thing which this plan has to do with such discovery, the secret of every man's situation must still continue in his own keeping.

I have now shewn in what safe and secret manner it is proposed to make monied men, who derive an income from private securities, contribute their quota to the state incumbrance. But there is yet another very numerous, respectable, and wealthy body of men, who do not appear to have been called upon by this proposal to give their assistance; and these are the men whose money is vested in trade and commerce. But when we consider that it is by means of money *thus* employed that we have been able to exalt ourselves as we have done above our neighbours, and that we can only hope to keep our place, and continue to flourish by such exertions, it will certainly be seen, and acknowledged to be the true policy of this country, to give every possible encouragement to those who *have* money to employ it in *that*

way: for in such degree as the tide of commerce ebbs and flows amongst us, we derive from it more or less consequence in the eyes of the world, more or less security against the designs of our enemies, and more or less ability to bear the brunt of future wars. When we consider, I say, that trade and commerce is the tenure by which we hold all that we have of value, of whatever kind; that fortune, life, and liberty depend thereon; is there a man who is so far lost to a just sense of the worth of these blessings as merely, from some favour shewn to trade, to reject a plan, whose aim and object it is, and whose full ability to make a people of us collectively strong, and individually happy, surpassing any thing of the kind which we have seen or known, or heard recorded in the most fortunate annals of any country!

But it may be said, that for any thing which has yet appeared to the contrary, these same advantages might accrue to the state, though trade should yield its fair proportion. If any one should say this, I shall not take upon me to dispute the point with him; I shall only beg

leave to observe, that those who reason thus have misconceived the matter; for that these monies are not as is supposed, exempt from payment, but do actually contribute, by furnishing a revenue in fair proportion to the general income which trade produces. For even admitting that a return is made in this way of thirty millions per annum to the parties concerned, which at ten per cent. presupposes a trading capital of three hundred millions, all that would be required of the proprietors of such an income by the plan in question, would be an annual payment of four per cent. upon a sum that is equal to four years income. Now 4l. per cent. upon such an accumulation would be 4,800,000l. per annum, which is less than is paid in duties to the state from the present circulation of money in trade, though it is more than is paid in net duties, the latter not much exceeding, upon an average of ten years, ending the 5th of April 1783, 3,600,000l. per annum. I am told, indeed, that the actual receipt does not fall short of 6,000,000l. per annum, and that the blame of this defalcation is in a great measure owing to our improvidence in granting bounties. In order therefore to remove all pretence of complaint

of partial dealing from such indulgence, as well as by that means to put an end to the scandal of certain abuses which I shall not name, except I am called upon, let bounties henceforth cease, the trading interest will be made amends by the abolition of taxes; and let the produce of the customs be brought forward as it ought to be, fully and fairly in aid of the state.

Under this improvement we shall not only be free from taxes, we shall not only be clear of debt as a nation, but as individuals we shall have to look forward with some degree of certainty to the final extinction of that incumbrance which former wars have entailed upon us. For in this case, after deducting from the produce of the customs sufficient to answer the peace establishment, there will yet remain, to be applied, *if it shall so seem meet*, to the gradual diminution of the debt transferred, a sum in reserve of two millions per annum.

But to speak my mind freely, I do not conceive that it would really be of any advantage to this country, but quite the contrary, to disturb the present circulation of money, by pay-

ing to the state creditors the several principal sums of which the debt is composed. It is enough for them, and is all they require, to have good security for what they have lent,---to have the interest of it well and punctually paid, and that there should be no more difficulty than there is at present in the sale, or transfer, of what belongs to them. Now all these ends will be fully answered by the plan before us. * On the other hand considered, it would certainly be detrimental, it would weaken us to a very great and alarming degree to have so much of *that*, which may well be called the vital fluid, drawn off from the veins of this country through which it circulates in health and strength to the political body. But except we can furnish fresh securities to detain the money in circulation amongst us, after payment is made, it

* It is proposed to have the interest collected, and deposited in the Bank of England half-yearly, where dividends, as usual, will be paid, and where property of this kind may be bought, sold, or transferred, as is now the practice; only with this difference, that it will not be subject to the present fluctuations, but will then be of a fixed value, always at par, and well secured, for the more substantial security of land will be superadded to that of government. It is true, the Stockholder is not liable to the present land-tax payment, but it is no less true that he is liable to all other payments, of which the aggregate pressure is at least three times greater than the payment here projected in lieu of them. It cannot therefore be supposed that any opposition to the proposal will arise in that quarter.

must necessarily happen that it will find its way to our great and irreparable loss into other states. From which it follows, that any attempt to liquidate the debt by actual payment of the principal sum, even supposing that it could be effected by means of any one of the plans which have been produced, or any other, would be clearly to act upon a wrong principle of policy, just as much as it would be wrong in physic to bleed a patient who stands in need of no such evacuation till death ensues, under pretence of saving his life.

All that is wanting to the full improvement of our situation is not, as has been thought, to get rid of the debt, but in such sort to dispose of it as may prevent the ill effects which it has at present upon trade and manufactures.---Now, these effects are most completely done away by the plan which is here recommended, inasmuch as the debt transferred will operate no more to their disadvantage than a mortgage or quit rent does, which has no such operation at all belonging to it.

What I mean to express is this:---That it is sufficient for our purpose that the debt has no

longer any kind of existence as a national incumbrance; it is not necessary that it should be pursued to absolute annihilation, for it is not hurtful in the abstract, but only in the management; it is wealth in the abstract, and wealth is strength; it is therefore in *itself* beneficial to us.

It is my idea that the debt has been a means of introducing much wealth, of which the stream would not otherwise have flowed into these parts. It is also my idea that it is now the means of detaining wealth, of which we cannot retain the use in any other way.--- When it is viewed in this light, any diminution of its bulk will be seen and felt as a diminution of strength, and so by parity of reasoning its total extinction will not only be injurious, but *may* prove fatal to this country.

Let us now examine this reasoning by ridicule, which is said to be the test of truth; let us plead, that as this is the case it is right and fit to continue to borrow, since the more we borrow the stronger we grow. The turn which is here given to the argument may do in pleasantry, but not in seriousness; for we may just as well say, that because the navigation of

a river has been improved by raising heads and turning streams into its currency which were not its own, that it is therefore right and fit to continue the practice till we swell a tide that shall drown the country all around us.

Seeing then that I am well founded in saying, ---*that it is necessary to transfer the debt, but not to pay it*, the fair deduction is, that the overplus should not at any rate be applied to the debts extinction, but should either be set aside as a fund to pay some certain portion of the public interest, or should rather be applied to the extension and defence of trade from whence it flows, by raising the naval force of these kingdoms to such a pitch, as in all times to come to be an overmatch, not only for any single state, but for the whole combination of earthly powers, should they ever combine in arms against us.

And when this can be done, not only without laying any additional burden, but in the final success of this plan, by making the pressure of that which is laid already fit lighter upon us, is it not strange that self-interest should not rouse us to this exertion, if we cannot be

wakened by better motives? Had it been required of us to do the reverse of the present proposition, I should not have wondered at any demur; but that any hesitation should arise when it is put to our choice either to remain burdened as we are, or to be considerably less burdened, is to me a paradox which can only be solved by this conjecture---*that the plan has not hitherto been understood.* But as no man can have this to plead, for the time to come, I may well presume that the joyful day of our political salvation is near at hand: for it has now been shewn, even to demonstration, that nothing is wanting to ensure success to this design, but that all men should yield themselves to the controuling power of self-interest.---There is one instance, indeed, in which I could wish them to deviate therefrom, as an exception to the general rule which is here laid down. It is this,---that they would be pleased to permit the surplus revenue, whatever it may be, which arises from the customs, to be applied to the extension and defence of trade in the way I have named, and not set aside as a fund to pay a certain portion of the public interest. It is certainly a much better distribution of it than that which is now prac-

tified in partial, wasteful, ineffectual bounties. It is also a much better appropriation than that to which a surplus has of late been proposed to be vainly applied---*To the final extinction of that incumbrance which is only hurtful through our mismanagement.* Neither, in fact, is it any deviation from self-interest ; for when we consider that no man can be more interested in any thing which concerns his property than in that which secures it, I think it will be seen that the application recommended, is not only out of all comparison better than building forts for that purpose, but indeed is the best, in all respects, that could possibly have been contrived for our advantage.

It has long been said, and we have found it verified in a thousand instances, that we owe our safety to our *wooden walls*. We have hitherto trusted to them, and they have not failed us. Then let us not throw away wisdom, let us not run counter to experience, or lightly leave an ancient practice whose good effects have been uniformly the same. Let us not act in future like men bereft of reason from the venomous bite of some mad engineer ; let us not scowl and sculk 'neath walls of stone, but

face to face, as we were wont, like men and Britons, brave the danger which must fall before us.

But that which should have its effect above all other inducements, and indeed should operate irresistibly in favour of this design, is, that things are at this pass,---*we cannot otherwise preserve the Constitution*; as is obvious from this circumstance, that it is now actually in contemplation of Parliament to extend the excise laws, which must, if followed up, prove fatal to us. The pretext is, that the revenue is much injured by the present mode of collecting duties; and that such is the sad situation of this country, all things are expedient which can raise the revenue. But let me ask a question: Is the sum to be gained of that magnitude to make us amends for the loss of that portion of liberty which must ensue? Or is any sum a compensation for such a loss? It is calculated that the revenue will be advantaged by this means to the amount of two hundred thousand pounds per annum. And is this then the price which we set upon freedom! Or do we take this in part of payment for value received in part, prepared at any time to relinquish what is left on similar

terms?---We may plead what we will in defence of the measure; but it cannot be otherwise construed, than that, yielding in this, we yield in all; for if it is reason sufficient to say, that it will raise the revenue to extend the excise, it must operate generally. As to the modification proposed,--- *that notice must be given before violence is used*, * it is really so thin a covering, that of any other men I would not have scrupled to say, it is the vile trick of cowards who dare not avow their purpose,---a mere fetch to prevail upon us to put on our chains, full well aware, that when they are fastened, we bluster and bounce in vain. But be this as it may, which ever way it shall happen, whether it is that we lose our liberties through ignorance, inattention, or through design of our leaders, it is all one to us in respect of our loss. And should such be our fate, how happy had it been for that man when he comes to reflect, how happy had it been, I say, for that man by whom slavery is introduced, had he never been born! And if no other means were left of preserving our liberties, how happy would it be for this country, that he, whoever he may be, who has conceived the project of

* A provision of the act.

extending the excise laws, should have all it will raise, and ten times more tied fast to his neck, and sunk in the sea?

June 5, 1786.

P O S T S C R I P T.

I have said,---if it is reason sufficient to extend the excise, that it will raise the revenue, it must operate generally; and we have now heard a confirmation of that sentiment from another quarter. We have since been told from authority,---that if the due collection of the revenue could only be enforced by admitting of a summary Judicature, * which is nothing short of taking from us our liberties, it would be necessary to do so. And in order still more to mortify us by this avowal, it has been followed up, and justified, by declaring it to have been the opinion of our ancestors, as implied by their own voluntary act of introducing the excise. How

* See the debate on the Wine Excise Bill reported in the Morning Chronicle, Yesterday.

wary then does it behove us to be in this particular, how cautiously to watch our ways, that future Ministers may not blast our memory with the like construction. But that which is most alarming upon this occasion, is, that the same doctrine has been assented to on the part of the people; with aching ears we have heard it declared by that person who professes himself to be their friend * that there *only* the constitution should be considered, where it can be considered with perfect safety to *revenue* concerns. The words which were spoken, if faithfully reported, are these:---“ A right to trial by Jury was what the Constitution authorized; and wherever it could be given with perfect safety to the *revenue*, there it ought always to be allowed†.” Now what is this, but in other words to say, that where it cannot be given with perfect safety to the *revenue*, there it should not be allowed.

We have heard these hard sayings, and does it not follow from thence that the leaders of

* Mr. Fox.

† See the debate referred to in the preceding page.

all parties look up alike to liberty but as a Secondary consideration! That their first object is to raise the monies, *quærenda pecunia primum*. Of course, that the debt in its present shape must infallibly make us slaves; and that in order to effect this consummation as matters now stand, all that is wanting, is that some daring Minister should come forward with and put to the vote this dreadful proposition---
That it is absolutely necessary for the support of public credit to abolish juries and collect the revenue by a general Excise.

June 9, 1786.

F I N I S.

THE
TRUE POLICY
OF
GREAT BRITAIN
CONSIDERED.

THIRD EDITION.



THE
TRUE POLICY
OF
GREAT BRITAIN,
CONSIDERED.

AN observation was made in a pamphlet, entitled, An Explanation of a Proposal for the Liquidation of the National Debt, *
“ That Land and other Taxes amount, in
“ what we spend, to fifteen shillings in the
“ pound.” But it fell to the lot of that esti-
L

* See the said Pamphlet, in the first part of this Collection.

mate to be looked upon as an exaggeration of our sufferings, on which account a more satisfactory explanation was given in a postscript annexed to the second edition of the said pamphlet. Since which time, a fresh objection has been started to the estimate of fifteen shillings in the pound, on the following suggestion, that it includes the sum total of our present payments to Government; and as it is not meant to ease the subject of the customs, * whatever proportion that impost bears to the whole revenue, in like proportion shall we still continue to be loaded over and above the proposed payment of 3s. 2d $\frac{1}{2}$ †. Now it is generally understood, that the whole revenue, compared with that part of it which is produced by customs, is as three to one; from whence it follows, that we shall have to pay to Government five shillings more in the pound than the Author of the said Proposal was aware of, viz. 5s. for customs, besides 3s. 2d $\frac{1}{2}$ in lieu of taxes, making together 8s. 2d. $\frac{1}{2}$.

* The plan alluded to provides for the continuance of the customs. See page 8.

† See page 52.

To give this fresh objection its full force, let us suppose for a moment the case to be as it is there suggested, "That Taxes and Customs together do not amount to more than fifteen shillings in the pound, and that five of the fifteen result from customs." What does it prove? It only shews that we shall not be so much benefited as I have said; it does not follow, that we shall not be advantaged at all by the bargain; for before that can be the case, we must suppose the two systems to be placed precisely upon the same level in respect of payment, a supposition so glaringly false and absurd, as not to stand in need of serious refutation. For let what will be the rate which is now paid for taxes, whether it is ten shillings in the pound, or fifteen, one point is clear, that as much as three and two-pence half-penny falls short of one or other of those sums, so much shall we be gainers by the new system.

Now 3s. 2d $\frac{1}{2}$ in the pound, is nine-pence half-penny less than is paid at present, in some counties, for land-tax alone, and is short of the lowest computed rate* of other taxes six

L 2

* Computing the pressure of taxes at ten shillings in the pound.

shillings more, making together six and nine-pence-half-penny; a sum which, compared with the proposed payment of 3s. 2d. $\frac{1}{2}$, creates a difference; between our loss of it on one hand, and our gain on the other, of more than four hundred per cent. * We see, therefore, that even in this light considered, which is the least favourable, the plan holds out a strong temptation.

But in order to bring home to our feelings the present question, let us suppose the Minister of this country addressing himself in some such words as these to men of property :---“ It is
 “ my desire to administer relief to you in
 “ respect of the public burdens. But before
 “ any steps are taken in this business, be pleased
 “ to inform me how far it will be agreeable to
 “ you to co-operate with me in this good design.
 “ You, Gentlemen, whose contribution is four
 “ shillings in the pound for land, you who pay
 “ three, two, or one shilling, who bear besides
 “ your apportioned burden of all other taxes in
 “ common with those who are not affected by

To save 6s. 9d. $\frac{1}{2}$ out of a ten shillings payment, creates the difference named.

“ that impost, *---whether do you chuse to
 “ continue the payment in such sort of six,
 “ seven, eight, nine, or ten shillings in the
 “ pound, the lowest respective sums which
 “ are now paid by you in taxes, or in lieu of
 “ such payment, an annual pound rate of three
 “ and two-pence half-penny ?”

Can it be possible that any man, or body of men, would hesitate to embrace so advantageous an offer ? And yet this is the identical proposition which has lain before us years together unbefriended. † But it is with us, perhaps, as it was with the rustic who stood by the stream that the waters might pass,---“ we wait the coming of an upright Minister to make us the offer.” But will that excuse acquit us to ourselves, our children, and our country ? Failing that man of virtue, wherefore then do we not discharge our duty by uniting together constitutionally to enforce performance ? ‡ We have the power as yet, want we the will to do this act of justice, and, indeed, of mercy ?

L 3

* The land-tax.

† Not literally unbefriended, for that is very far from being the true state of the case. Private friends it has had in abundance, but unbefriended as a public, parliamentary measure.

‡ See page 105.

The time may come when the tables shall be turned upon us. A little space may teach us what it is to have the will without the power ; a little space, I say, if we let slip the precious remnant that is left of opportunity.

I have shewn in my answer to the foregoing objection, that even admitting it in full force, it does not materially affect the present proposition. But to speak what I think of the matter, the facts do not appear to me to be fairly stated in that objection ; for customs, independent of taxes, would not of themselves annoy us in any such way as is there described. The sums they raise would then be simply added, like other articles of expence, to the prime cost of the goods, and in that case would be less felt than a pound rate would be of two shillings. We may, therefore, conclude, that the sum total of our contributions to Government would not, probably, be more than five shillings in the pound, under the proposed arrangement, whereas it is set down in the objection, at 8s. 2d. $\frac{1}{2}$ *

But as it is not possible to put this question beyond the power of cavil in any other way,

* See page 162.

than by seating ourselves at once upon the throne of certainty respecting payment, a thought occurs, whether it would not be more advantageous, as well as satisfactory, to simplify the plan throughout: It goes already to the utter abolition of taxes, let it go to Customs in like manner; let us make of this Island a *Free-port*, and let the whole revenue be collected by a pound rate, which will then raise as much at five, as is now produced at fifteen shillings. That is to say, it will raise a revenue of fifteen millions, supposing that part of the income of individuals which is here spoken of, to be no more than sixty millions *per annum*. * And, therefore, setting aside for the public expenditure, the round sum of 14,500,000l. †, there will remain a clear annual overplus of half a million. How this should be employed has been said already ‡, but of that saying so sweet is the sound, and so much in tune with British ears, I cannot help repeating,---“ That of all possible applications of a surplus revenue,

L 4

* The rental of lands, houses, and public funds, valued at sixty millions *per annum*. See page 5.

† The annual public expenditure, is stated at 14,472,181l. in the Report from the Select Committee. Vide Report printed for J. Debrett.

‡ See page 151.

“the best and wisest is the naval service.” To throw back the remnant into our pockets, what would it do for us? It would add to the annual weight of our purse---What? Two pence in the pound! * O! well indeed might Britain say, degenerate sons, if such a circumstance could weigh upon our minds, if such a sum as two pence in the pound were better saved in our conceit, than freely spent to gain us in return the lost dominion of the seas. As to all other loss, I look upon it as nothing, compared with the loss of our naval superiority, for that involves our certain and our speedy downfall. Our rivals boast, † and we ourselves confess, the circling sea, which once was ours, is no longer so. But if, as our fathers proudly bore, we bear about us the feelings of Englishmen, if any wish remains to be what we have been, a great nation, or even an independent one, it

* Two-pence in the pound upon sixty millions is half a million exactly.

† The fact is notorious, that certain Powers have ceased to perform the ceremony of saluting the English flag; it is equally well known, that no steps have been taken on our part, as was usual in such cases, to enforce the performance. The Dutch, indeed, do still salute, and so in like manner, do some other nations, but France in particular, *our seeming would-be friend*, has betrayed a most insolent determination to stand by any consequences to which the refusal may subject them.

must be recovered. There is no possibility of waving a claim, which is not only necessary to our well-being, but indispensable to our existence. Such is our right of sovereignty in the narrow seas, and such the honours of the flag as incident thereto, and emblematic of our right. To give up those, is giving that which is not ours to *give*, but only to *retain*. Had it been a right which was optional in us to keep or relinquish at pleasure, the case had been altered, but it is not so; it is like unto life, a right of obligation, which we are bound to defend to the last gasp. And though it cannot be called in strictness a natural right, but an acquired one, yet by long usage it has grown as it were into a right of that description, and so it has been acknowledged for ages past by all the world. But it is not necessary for my purpose to enter further into this argument; the single fact which concerns us is manifest, viz. “That by means of our naval power, we have
 “risen to be the people which we are;” and if by no less exertions it could be recovered, its vast importance strikes my mind so forcibly, I’d garter round this Island with a fleet: I’d station ships from pole to pole;---To pay for this, I’d live upon the thing I hate the most, an onion by the day for years to come, and flake

the noisome thirst which it would raise with Heaven's dew, but I would compass my design. All this I would agree to do most willingly, and so no doubt would thousands more, but happier far are we by whom these things may be atchieved without recourse being had to such extremities,

Some men lay mighty stress upon commercial treaties, but we need them not. Abolish customs, and the commerce of the world is ours without their aid. At least we should not deal in such a way with those whom wisdom has proscribed. The maxim holds with many as with few, a nation, like a man, " May " smile and smile, and be a villain." So smile our courtly neighbours cross the Channel, and so let them smile, but let us not be duped thereby. They were our enemies, our antient deadly foes; they are so still, and will be so for evermore. To view them thus, we view them as we ought; and knowing them for foes, we likewise know to what we have to trust, and therefore wisely stand upon our guard. But taking them for friends, 'tis poison that we take which puts us past the power of caution. Our most inveterate foes made seeming friends,

the consequence will be, this unsuspecting nation will turn traitor to itself; that is, we shall not watch at all, or we shall slumber when we should be watching.---O! then, my gallant Countrymen, beware in time! Remember Troy! Invincible by arms, it fell by wiles; so you shall fall by this same hollow treaty. To let them merchandize and settle here, * you give admittance to the *Trojan horse*. Remember too, the Serpent in the tale, which they will copy, if you give them leave, and help the moral by your sad example.

If any doubt remains, we have only to turn our eyes to the great works which are carrying on at Cherbourg, to be fully convinced of their duplicity, and how indispensably necessary it is for us to pay immediate and unremitting attention to naval concerns. From those works we may form a judgement of the deep designs of the French Court, and of their fixt determination to spare no pains, nor any expence, by means of which they may provide more effectually, in future, for their own security, and our annoyance. We all know how much they suffer in a

* It is so provided in the Commercial Treaty with France.
See Art. 5.

rupture with us, from the circumstance of having no considerable station for ships in the Channel. To remedy this evil, they are constructing a harbour at Cherbourg, extending three miles into the sea. Their method is, to erect at given distances, stupendous rocks, or piers of stone, and afterwards to fill up the intermediate spaces; leaving, however, at certain commodious intervals, lateral openings, for the more ready ingress and egress of vessels. To give some faint idea of the vastness of this undertaking in point of expence, and the value of course which they set upon it, no more need be said, than that the estimate of preparatory wood work only for this design, is two millions four hundred thousand pounds of our money. ---Engineers of the first note in this country are, indeed, of opinion, that the scheme will not answer: They say the projected harbour, admitting the practicability of perfecting it, which yet is problematical, must necessarily choke up for want of a strong cleansing current from behind, to prevent or remove obstructions. But be this as it may, the feature indicates what passes in their mind, and serves to shew to what a wretched state of insignificance they would reduce us, were we to

place dependence in their professions. But that which is most affronting to this nation is, that they should have judged us capable of being imposed upon by so gross a specimen of duplicity. I trust, however, it will prove in the end to be no derogation from our character, but rather from theirs, who have been weak enough to imagine, that we could so far be duped, as to take them for friends, when at that very instant in which they were feeding us with frothy hopes of perpetual amity and intercourse, they were heaping insult upon insult daily, and making beside, by works which have no level but against us, considered as enemies, the most awful preparations for impending war.

But it may be said, that by such exertions on our part as are here recommended, we shall lay ourselves open to the like imputation of hostile intentions. And what if we should expose our purpose to such construction, have they not set the example! Have they not led the way by their preparations, and shall we not follow! Shall *we* desist to 'scape unmerited reproach, and *they* be left to perfect their design of our undoing? Is it not our duty to provide for ourselves, as well as it is theirs, or is it in

them only a mark of wisdom, to be well prepared to meet emergencies? Let who will subscribe to this doctrine, it is not for me to do so, who am verily persuaded there is no safety for us, but in their belief, *that we have the power, and will exert it, to vindicate our rights from their encroachments.*

But even if these considerations were out of the question, still it is our duty to improve our situation; and in what way can this be done more effectually, than by those means which are here suggested? Our own immediate interest as individuals is essentially provided for, as also the honour and welfare of the nation at large, and surely these of themselves are temptations sufficiently strong to extort compliance. What shall we say then, if to these advantages is superadded the preservation of our hard-fought liberties, and as therewith inseparably connected, the future glory, fame, and independency of these imperial realms!

Casting my eye over what has been written, it occurs to me, that I may not possibly have made myself well understood in one particular. I shall therefore beg leave to observe, that

it is not in my intention from what has been said to countenance war, * but quite the opposite to cherish peace, which next to liberty, I hold our cheifest good. It neither is, nor was, nor ever will be my advice, *merely* to make ourselves formidable, that with better hope of success we may renew hostilities; but that *chiefly* by such providings we may be able to secure for ourselves an honourable continuance of national tranquillity. That is to say, it is not my advice, that we should grasp at power in order to scandalize ourselves, by making it in any way the instrument of wrong, but that by means of it, we should add weight and dignity to the moderation of our councils: not stirring envy, but extorting praise, by proving to the world, “ That we are no more disposed to offer an injury than to endure one.” Admitting then that this is *the true desideratum of power*, and that we cannot attain to it otherwise, than by those means which have here been described, does it not seem to be a duty imposed upon us to raise and maintain,

* The Duke of Sully's idea is a very just one. War, he says, is at all times an evil, but yet there are certain cases which make it not only a necessary but an indispensable evil, as where by force of arms alone those claims can be supported, which it would be baseness to renounce.—See Memoirs, Book 11.

on our part, such a decided superiority of naval strength, as none shall dare dispute the ocean with us? And when it is known and acknowledged on all hands, as is now the case, that our present armament, so far from being equal to such expectations, is even insufficient for common defence, is it not well advised, under such circumstances, to encrease the establishment? But the mischief is, however well disposed, we have not wherewithal to furnish this encrease, seeing that we must necessarily sink under the weight of any further material accumulation of taxes. Do we not see, therefore, that let what will be our determination, under the present system of finance, whether it is voted by us to provide as we ought, or whether not, this melancholy truth still stares us in the face; “ That our weakness on one hand, and “ any attempt to remove it on the other, conspire alike to our undoing!” Then what would wisdom say in such a case, or how would common sense decide? Would they not both agree in one opinion---that we should change forthwith a system which further pursued *must* terminate fatally; and that we should instantly adopt the plan recommended, as by means of it we shall not only get rid of two thirds of the weight of our present burden, but will have it

in our power to encrease immediately the navy establishment, by application of an overplus of half a million. As to the navy expences at this time, we all know the amount to be 1,800,000*l.* *per annum*,* to which, if half a million were added, our standing force might be made nearly one third part greater than it is at present: If this will not suffice, we have that before us which *must* prove effectual. We have to look forward to the falling in of annuities, by means of which the overplus will be gradually encreased, till at length the sum of it will even surpass that which is now set aside, for the service of the navy.† Of course, by steady and

* See the Report from the Select Committee, Page 28. as printed for J. Debrett.

† This fact will best appear from the following statement, viz. Amount of remaining annuities — — — — — £: 1338,864 1 11

See Report from Select Committee, p. 73.

Immediate surplus revenue as here proposed — — — — — £. 0,500,000 0 0

Sum total of surplus revenue when the present remaining annuities shall have fallen in — — — — — £. 1,838,864 1 11

Add to this last sum the present navy expenditure — — — — — £. 1,800,000 0 0

Amount of the sum which may be applied ultimately to the navy service if necessary — — — — — £. 3,638,864 1 11

which more than doubles the present establishment.

unvaried application of this growing fund, to the full extent of our growing occasions, we shall find, that instead of declining daily, we shall go on in a progressive state of improvement, till finally the strength and number of our ships shall furnish hope, or rather certainty, that we shall see revived the glorious days of Edgar's reign. For it stands recorded of that most active, vigilant, discerning Prince, that he kept up the Royal Navy in such constant force, and in all respects so well appointed, as not only to prove sufficient for self-defence against foreign enemies, but to such excess did he make this country flourish in peace and prosperity, and so high did he raise the reputation of his power from the safeguard of his fleet, that all the neighbouring nations courted and received protection from him. Now, the kind of management respecting the navy, which was long since introduced and practised with so much advantage by Edgar, and the kind of management

But in all likelihood, when the present State Annuities shall have fallen in, together with those additional ones proposed to be granted to placemen discharged from duty, * there will rest behind after the navy is saturated, and all expences of management paid, a very considerable overplus to be well applied towards our relief.

* See page 17.

respecting the revenue, which is here recommended to be put in practice, is that management in either case, in which I mean to say consists *the true Policy of Great Britain*. How happy then may we think ourselves, that we have it in our power to restore this Island to its pristine rank among nations, not only without being put to further charge, but by a signal reduction of those expences which bear at present so heavy upon us.

The only objection of weight which seems to lie against the proposed demolition of taxes and customs is, that merchants and men in trade will receive thereby an exemption from state burdens. But, is it a fact that they now contribute? Do we not know that they have it in their power to indemnify themselves against public payments, as well as they have against other expences belonging to trade? Shall we say then that they deviate in this instance from settled practice, that they do not recur to their well-known remedy, that they do not advance the price to relieve themselves, but that exquisitely just they set themselves down content with so considerable a diminution of profit as taxes

must occasion? He that can credit this, must be little read in human nature. Neither indeed can any one who judges fairly condemn the practice; for which of us all in the same situation would be more scrupulous? Which of us all would not avoid the taxes who could do so conscientiously, that is to say, without injury done to the revenue? Besides, as matters stand, if any blame belongs to them, the like must fall on us, for in no one instance do our proceedings at present differ from theirs. Do we not take the best rent we can get for our lands and houses, the best rate of interest for our monies? When was it known that we took an inferior price in either case, when a higher one was offered or might be had? And what have they done more? Seeing then that we can neither find fault with, prevent, nor dissuade men from making the most they can for themselves and families in their respective situations, it cannot be supposed that merchants and men in trade, whose aim and end is to enlarge their gain, will submit voluntarily, which yet must be the case if they submit at all, to any reduction of profit by reason of taxes. From which it follows that we *, who have no opportunity

* The proprietors of lands, houses, and public funds.

like them of shifting the weight, do now actually bear, and have all along borne, to our great and irreparable loss, as things have been managed, the whole accumulated load of state burthens! And if this is the mournful fact, if this is the fair and faithful representation of our case, if it is true I say that it must necessarily fall to our lot, without hope of relief under any management, without prospect of participation of any other members of this community, *to pay the whole*; let common sense decide, whether it is not more advantageous for us to do so in the way proposed, than by those means which are now in use; that is to say, whether it is not more advantageous to pay five shillings in the pound, than fifteen for the same purpose. And more especially when we shall get rid at once, by that arrangement which is least expensive, of all those fears which now perplex us,---of all that influence which has grown out of the debt, and saps the constitution,---of all that corruption which undermines virtue,---of all that weakness which operates as strength to our enemies,---of all that dejection which is the sure attendant of desperate fortunes, and of all that languor, loss of spirit and despondency, which makes so

many of us look up with longing eyes for shelter and protection in despotic power.

But I know much pains has been taken to disseminate an idea, that the wheels of government, long used to such oiling, could not otherwise be kept in motion, than by means of corruption; and that therefore the introduction of any system subversive of such practices, so far from saving, would throw the state into fatal convulsions.

In answer to which I will not presume to say, how wicked or how weak, but this I will say, how well inclined to compliance must those men be, who are taken captive by such arguments? With equal propriety might we plead for the continuance of every other bad habit, for all alike put on the same appearance of indispensable obligation. Those persons, for instance, who have most unhappily contracted a relish for spirituous liquors, are verily persuaded from the misery of their feelings, that they cannot exist from day to day without them; whereas in fact, there is no hope of life left, but in the single circumstance of abstaining therefrom altogether in future. Neither, indeed, can there

be found any other expectation of relief for this country, but in such determination. After having run the lengths which we have done with corruption, after all our sufferings from such causes, to be gravely told there is no safety but in perseverance, is as much as to say, that for our turn the whole course of nature has been changed, and that those things which have been our bane, are now become our antidote! Of all absurdities which have sprung up in these times, sure there never was one that was half so bare-faced a mockery of sense as this is! What would be thought of such sort of reasoning in the case of a man who, mistaking his way, had rode up to his chin in the German ocean? What would our notion be of those advisers by whom he was urged to *proceed*, as the only means of escape from drowning! What foul suspicion would not fall upon their heads! Nor less must fall on theirs, who to us, in a similar situation, recommend pertinacity.

But is it a clear case, that no other ears have been poisoned, but those of the mistreated *subjects* of this country? Have none but ours been tampered with? Have no pretended friends, Iago like, abused with such discourse the *Royal*

nerve? Has no suspicion of his people come across his thoughts; no throbbings of distrust, no jealous pangs been felt by him from such insinuations? Then are there those whom slander has traduced.---But have not some such symptoms been discerned by those who hover round the throne, and treasured up as warrants for their zeal and practices? Assuredly there must;---there is no other plea, no other explanation which can be found for the preference given to that disgraceful policy by which regal power is upheld among us. But let me ask these favoured worthies, have they not heard the observation, that he who stands by gold may fall by the same; or, knowing it, do they mean to decoy to the brink the unsuspecting Monarch, for the purpose of precipitation? This is indeed his own look-out; but is it not ours also, his faithful subjects, who see the danger, to apprise him of it! 'Tis ours no doubt to let him know, if yet he has to learn, that there is no empire worth holding, nor any which can be held *securely* in this country, but where royalty sits enthroned in the hearts of his people. 'Tis ours to warn before it is too late, 'ere yet by sad reverse of fortune he is taught how precarious is that King's situation, who has nothing better to trust to

than the vices of his subjects! When it is shewn to him in what way he may reign for ever in safety without corruption, may rule in righteousness, and that council is rejected, when all good men shall give him up, which then must be the case, there needs no *band to write upon a wall*, no *Daniel to expound the will of Heaven!*

But, after all, perhaps I undervalue the designs of this insidious tribe; conjecture says they play a deeper game. 'Tis not the King alone whose ruin will suffice. "Their great revenge has stomach for us all." They steer among the rocks to watch their time for general wreck; their plans of safety pre-concerted, and their schemes of plunder. Now this, my countrymen, is our look-out; and is it not the King's in like degree? Himself and all his fortunes are they not embarked with us and ours? The general good and safety of the whole is, therefore, his no less than our concern. No severance of our interest can take place while each performs his duty. The good which comes, the evil which befalls is so respectively to him and us; nor can there be a case where either can indulge a proper wish of any public kind,

consistently distinct from one another,---so intimately close are we conjoined, so firmly knit, and rivetted together.

These points premised, we cannot fail to see what gross absurdity, or something worse, possesses those who say it is our interest to pursue the plan recommended, but not the King's, ---as if he could be hurt by our prosperity! We may see likewise, what dread calamities await our present wayward courses. But what avails it that we *may* perceive, if blind by choice we *will not* look, or deaf by sheer design, no boding voice can warn us from the gulf! It is altogether this perverseness of ours that gives hope of success to our enemies, for without that disposition on our part, there would neither be time nor opportunity to ripen their projects. But what an exemplary specimen of retribution would that adventure furnish, if they themselves who lead us to our fate should fall into the pit prepared for others!---The circumstance is not improbable---much stranger things have come to pass---the ground they tread is not so safe as it may seem---'tis hollow like themselves.---The council which they give involves their own with our destruction. It pre-supposes a line which is no where to be found in the constitution, a line of separation

between the interests of King and People, a line detestable, which he who draws or 'tempts to draw,---I speak it to their face, *committeth treason*. Whatever, therefore, they may strive to do by secret insinuation, there is not a man of them all who dares avow this same advice; which circumstance alone pronounces judgement on the doctrine it conveys, declaring it to be, what it really is, *most heterodox and damnable*.

O! then for that propitious day, when yielding to the impulse of his princely mind, or moved thereto by virtuous entreaties, our gracious Lord shall dare to trust himself to the love and loyalty of his people! My life and all my fortunes shall be forfeit, if he does not feel himself more of a King after that consummation, and if there does not spring up in his heart more real joy in one short hour, than in the whole accumulation of years which yet are numbered of his luckless reign,

Jan. 1, 1787,

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THE
CONCLUSION.

ONE truth is clear,---that let what will be the success of another war, it must necessarily be supported at a very considerable expence; and if that expence is to be accumulated into debt and defray'd by taxes, my argument is that the weight of it may possibly be too much for us to bear, superadded to that which we now sustain. There are some, however, who will not admit the inference, because they say that gloomy minds have been haunted by similar terrors in all the various stages of the debt; which counter experience in every instance has proved chimerical.

I own the fact and rejoice exceedingly that the several denunciations of ruin have ended as they have done. But I say notwithstanding that there lurks behind this happy circumstance extreme danger to this country. We are led to conclude from thence that taxes have not the tendency to do us mischief which some have supposed them to have. And this opinion has gathered strength from the great advance of rents since the scheme of the debt was introduced, by which we are flattered that ways and means can never have an end. And thus deluded we cry exultingly, "How are we ruined, or how are we likely to be so, when in fact we are richer by cent. per cent. than we were before.* For though we have debt to contend with now which we had not then, and that debt has been almost constantly increasing, yet what is the encrease of debt compared with the encrease of rents !

" If I borrow money to improve my estate, provided I do improve it in much greater proportion than I load it per contra with what I borrow, will any man say I have acted un-

* Towards the close of the last century the income arising from real property was not supposed to be more than five and twenty millions per annum.

“ wisely by what I have done? Will my heir
 “ condemn me, if by subjecting my estate to
 “ the payment of borrowed money, I have con-
 “ trived to add considerably to the rental and
 “ clear receipt? Will he say he is ruined because
 “ he succeeds to a debt, the interest of which
 “ compared with the income is in no greater pro-
 “ portion than one is to six, and the income com-
 “ pared with what I found it, in full proportion
 “ of two to one?”

This kind of reasoning is very specious, and
 deceives many. It has all those for its votaries
 who skim no more than the surface of subjects.
 The public debt no doubt and the consequent
 pressure of taxes has roused our industry to
 great exertions; and those exertions have turn-
 ed to account. But the mischief is, we may
 always go on to encrease the debt, but cannot
 always encrease our income to counteract it;
 for clearly there must be a pitch of improve-
 ment beyond which the art of man can make
 no progress. Now the query is, whether we
 are not already arrived at the *ne plus ultra* of
 that attainment. And if that is the case we
 need not be told, that from this time forward

as fast as we add to the bulk of the debt, so fast we run to certain ruin.

That we really stand on the brink I have named, I will not aver, but I very much fear it, and so must every man who weighs in his mind, that land-tax, tithe, and poor-rate, parochial and county cesses, the charge of management, the farmers lot, are all to be raised from the produce of land, exclusive of rent, which high as it is at present, fall very short of the gross amount of the other items named. It would seem therefore from this statement that we have much more reason to dread the decline of the general rental, * than to raise our hopes to any advance. Those tracts indeed of fertile land which still lie waste, deforming the face of this fine country, might under improvement bring some relief; but that is a distant prospect, and would not beside materially serve us. For my idea is, if we still go on to encrease the debt, the declension of this country, if not begun already, must then infallibly commence when rents shall cease to be in a general progressive state of improvement. A

* The stock which rents received during the last war is no very favourable presage.

partial advance or local rising will not avail us, it must be general and must be progressive while yet the debt is progressive also. But putting the case that the general rental may still be improved, it is no impeachment of this proposal. It neither arraigns its prudence or policy, nor prevents its effect. If fairly considered it pleads in its favour that something remains which is worth preserving. All that would seem therefore to be wanting to induce compliance, is to satisfy ourselves of the efficacy of the proposal, and of those advantages which are said to be expectant upon it. And circumstanced as we are, it is surely well worth while to have the conviction of these matters brought home to our minds by means of a parliamentary enquiry; that if the system is founded in error we may cease to deceive ourselves, but if in truth that we may take the good so kindly provided. Now the points of enquiry are these:

“ Whether the yearly value of land, houses,
 “ and public funds is sixty millions per annum.

“ Whether we now pay at the rate of fifteen
 “ shillings in the pound to raise a revenue of
 “ fifteen millions.

“Whether merchants and men in trade contrive to create for themselves an exemption from state burdens.”

For if it is true that the yearly value of land, houses, and public funds is sixty millions per annum;

Then it is true also that five shillings in the pound will raise a revenue of fifteen millions.

If it is true that we now pay at the rate of fifteen shillings in the pound to raise a revenue of fifteen millions;

Then is it true also that we pay ten shillings in the pound more than we have any occasion to pay.

If it is true that merchants and men in trade contrive to create for themselves an exemption from state burdens;

Then is it true also that the proprietors of lands, houses, and public funds are the sole paymasters of all imposts. And consequently

that no injury is offered to that description of men by this proposal, but that great and lasting advantage will accrue to them by changing the mode as here proposed of collecting the revenue.

But the fair reasoning on these premises does not end here; it may be pushed to a more surprising length. For the present payment of fifteen shillings in the pound, by means of which as matters are now managed little or no progress can be made towards our relief, collected by a pound rate will yield a surplus of thirty millions; which sum applied as a sinking fund will quite extinguish the national debt in eight years time. Yielding to us in the mean time from the falling in or ceasing of the interest upon the thirty millions annually paid off, a sure relief, encreasing in each succeeding year, to the full amount of twelve hundred thousand pounds per annum.

In eight years time the debt discharged, no other drawback will then remain, but that which is necessary to defray the ordinary expences of government. Setting those expences at five millions per annum,---which provides

an encrease of half a million yearly more than is now allowed for the navy expenditure, our whole contribution in time of peace would be one shilling and eight-pence in the pound, or four-pence for every million raised. What it might chance to be in time of war, I cannot pretend to determine, but to give it a name, let the war expences be estimated at ten millions per annum. Our further contribution in such case would be 3s. 4d. which added to 1s. 8d. produces a payment in time of war two thirds less than that which is now exacted in time of peace.

But the author has given his opinion against the propriety of an actual payment of the public debt, * and whether or no he has reason on his side let others determine. Thus far at least we may presume to say, that no such hasty payment can turn to advantage. As good a way perhaps would be, to trim between the two extremes, so as neither to make such rapid payments, nor suffer the debt to remain undiminished.

Let us say then that it is judged expedient to reduce the debt at the rate of five millions per

* See page 147.

annum. It will require a pound rate of 1s. 8d. to do this, which rate continued while peace remains will liquidate the debt a-pace. It will likewise furnish that gradual supply of wealth for trade and other purposes as will not glut but gratify the market. In ten years time, if peace shall last so long, fifty millions will be paid off; and our annual pound rate reduced, of course, from six and eight-pence to six shillings. Let us grant the ten succeeding years to be years of war, and the annual extra charge to be ten millions. Now that supply will require a pound rate as mentioned before of 3s. 4d. But as it is not proposed to go on with the reduction of the debt during the continuance of war, the fund for that purpose, viz. 1s. 8d. will so far go in relief of the war expences; it will only therefore require an additional rate of 1s. 8d. which added to six shillings will make for the years of war our annual pound rate 7s. 8d. When peace returns, our attack on the debt will begin a-fresh. Let us say then that the same periods of peace and war shall occur as before. It is clear that as in the space of twenty years, we shall have lessened our debt fifty millions, in forty such years one hundred

millions will be extinguished--- in eighty, two hundred millions, and ninety of course will set us free, computing the present debt, which somewhat tops the truth, at five times fifty millions.

F I N I S,

PART THE THIRD,
CONTAINING
THE
ABOLITION OF TITHES
AND THE
REFORM
OF THE
CHURCH REVENUE.

The Doctrine of Prescription considered.

A NARRATIVE of PROCEEDINGS
at a COUNTY MEETING held at MOR-
PETH, *Dec. 22, 1784*, respecting the Pay-
ment of TITHES.

A LETTER to the FREEHOLDERS of
the COUNTY of NORTHUMBERLAND, on
the same subject.

The CONCLUSION.

P A R T III.

THE

ABOLITION OF TITHES

AND THE

R E F O R M

OF THE

CHURCH REVENUE.

FIFTH EDITION.

IN order to make these measures the more palatable, particularly to the landed interest, on whose shoulders the principal part of the burden is to rest, let these regulations be accompanied with a *Nullum Tempus bill*, * respecting the claims of the church. And let that be followed up by another bill effecting

* A bill of this kind was passed a few years since respecting the claims of the Crown,

the abolition *in toto*, of that hateful practice of tithing, which has done more harm to the cause of religion, than all the immorality of the world put together.

For this purpose, let every proprietor of land be obliged to purchase the tithes of his estate, by a fair valuation of their worth at thirty years purchase; not, however, by an actual payment of the principal sum, but by subjecting his property to the regular discharge of interest thereon at the rate of four per cent.

Every hundred pound per ann. in tithes would thus be worth three thousand pounds in money, and four per cent. on every such sum is 20l. a year in every hundred more than is now received on the score of tithes. With what justice then has this part of the plan been arraigned as a wicked design to pillage the church!

These points secured, let there be made a more righteous distribution of the property of the church: first, by grubbing up the suckers, and lopping off all useless limbs, which serve only to disfigure the tree, or deprive the ex-

infirmities of their proper nourishment: and, afterwards, by making a suitable provision for every necessary branch, which is left remaining, of that venerable stock.

As my meaning, which is figuratively expressed in the foregoing paragraph, may be liable to misconstruction, I will add a few words by way of explanation.

I admit that the parish priest who does his duty, is a *necessary branch*; as also the Bishop who does his duty; but when I have said this, I have said all that I meant to express: for in truth, there is neither use, beauty, nor profit, in any other. Therefore let all other branches of this wide-spreading tree, that is to say, let all other names and appointments in the church establishment, save only that which I have mentioned, and *the order of prelates*, be got rid of for ever.

But as large amputations are attended with danger, it behoves us to act with caution in this particular. If the measure is approved, a few years will prune them all to our hands; and it is better to wait the slow, but safe and certain operation of time, than run any risk in so material a concern.

There are some, I know, who will reprobate the exception which is made respecting the prelacy; but I have acted in this case under the influence of a strong conviction, that the order, with some little amendment, may be made useful to the state, and of service to religion.

The next point to be discussed is the maintenance of the inferior clergy, which under this new regulation are reduced to one single class. The duties of whose station being precisely the same, why should they not be placed upon a footing of equality in other respects? Can any reason be assigned for a distinction in this case? Or can any one say, when the *whole duty* of the church is at present performed *for half a million*, * that it would be doing an unhand-some thing to set aside, for the same purpose, four or five times as much as is now received?

This regulation is replete with innumerable good consequences; I will name some few of

* The duty of the Church is performed for the most part by Curates, whose stipends are largely rated at 50l. per annum, one with another. Ten thousand of those according to the computation of the number of Parishes in England and Wales at 50l. per annum each, is *half a million* exactly.

them, and leave the rest to the discernment of my readers.

It strikes at the root of pluralities; an abuse which calls loudly for redress. It furnishes a suitable provision for all the inferior clergy: whereas now there are some of them most shamefully destitute. It cuts off all hope and expectation of advantage from change of place; so that over whatever district a clergyman is appointed to preside, there he will set himself down, I trust, contented: and having a mind free from the interruption of worldly concerns, it is a fair inference to suppose, that he will devote all his time and attention to the benevolent duties of his office.

And as there will remain, no doubt, after these contingencies are satisfied, a very considerable overplus; * let it go, in further relief of the land, as a provision for the poor.

And here let no man pretend to say that I have sacrilegiously laid my hands upon the pa-

* The revenue of the church is computed at two millions and a half, and upwards: we may therefore conclude that the overplus will not fall short of half a million.

trimony of the church. The regulation is perfectly agreeable to the original intention of the donors. For tithes were first granted, in part, for the maintenance of the clergy; and in part for the relief of the poor: so that originally the clergy were only the distributors of those alms.

But, perverting this good design, as the corruption of the order increased, they began to appropriate more and more of them to their own use; and, at length, taking advantage of the supineness of the laity, and the debasement of their minds, by religious fears, they boldly put in their claim to the whole, as their own; by *right divine*. Leaving the poor to the mercy of heaven, or to the tender bowels of those, who, like the good Samaritan, and *not like the Priest*, could not pass, without looking upon their distress, and administering relief.

To proceed. The clergy of those days wise in their own generation, as the children of Mammon, foreseeing that the time would come when the eyes of the world would be opened; took care to secure to themselves a further title, under the plea of *common-right*.

Last of all, though it bared the face of their former impositions, and as if any thing could give an additional strength to *common-right* and *right divine*, they thought fit to call in *human laws* to their assistance.

And thus armed at all points, their successors, those *Ministers of peace*, and *preachers of self-denial*, have ever since been in a state of continual warfare for the good things of this world.

But to return from this digression. Let us not, in this general reform, which is intended to administer comfort to so many individuals, let us not be inattentive to the tears of the disconsolate widow, too often left destitute; nor turn away from the cries of the helpless orphan.

As a provision for these, let the widow be entitled to her thirds: and in case of the previous death of the mother, or if she does not survive her husband ten years, let the stipend be continued for the maintenance and education of the children, during the whole of that term, or the remainder of it, as the case may happen.

And whereas I have said that the overplus of the spoils of the Church shall go in aid of the land, as a provision for the poor; it may not be amiss, on further consideration, to appropriate a certain proportion of those savings, as a collateral provision for orphans left destitute, after the expiration of ten years, or the death of their mother.

For of all the poor, those, no doubt, have the best claim to our pity and assistance, who have been brought up in ease and plenty, and are reduced, by no fault of their own, to misery and want.

Nothing now remains, to make this reformation compleat, but to secure the independence of the bench of bishops; which can in no other way be so well effected, as by putting *an end to translations*.

To whatever see a bishop is appointed, there let him remain; and in order to remove every objection at once, let them all be put upon an equality in respect of emolument, the two arch-bishops excepted, and let them be made equal in point of profit between themselves;

but double in point of proportion to the rest. That is to say, let every bishop receive a clear payment of 3000l. a year, and the two arch-bishops 6000l. per ann. a-piece.

In order still more to smooth the way to this necessary reform, let the *ladies* be enlisted on our side, by giving them the *title and rank* of their husbands.

And here again I might enter upon a fresh field of advantages, which will accrue to the state, to the cause of religion, and the peace of society, by the abolition of tithes and the independence of the bishops: but, as what I have said, when speaking of taxes, may be urged with equal propriety in the present case, I shall conclude with repeating, That it cannot be necessary to enter upon a detail of those advantages, in proof of a self-evident fact.

I have now only to add, that it was my first intention to have prefixed my name to this little work, but consulting with a judicious friend upon the occasion, his argument coinciding with my own cooler thoughts, were conclusive against it.

That I should have all good men on my side would be my comfort; but as there are, no doubt, some bad men in the world, all such as sworn enemies to reform, would unite against me. And, when no good purpose can be served by it, why should I put myself in the way of danger, which is so easily avoided without disgrace?

If what I have projected is approved, and the nation is permitted to reap the benefit of my design, I have attained to the consummation of my wishes,

Not that I mean, by standing aloof, to reject the praise of good men, or set that at nought which is at once the strongest incitement to virtue, and its best reward. No person can put that construction upon the case, as all must know, if any praise shall attend me, that it will not be more sparingly bestowed because the author lies concealed; neither shall I enjoy it the less, because it is in secret. On the contrary, it will acquire thereby a superior relish; since it will prove, beyond a possibility of contradiction, that I could have no other end to answer, by this publication, but the good of my country.

P O S T S C R I P T.

THE second edition of this essay was in the press, when the bishop of Landaff's letter to the Arch-bishop of Canterbury, since deceased, was put into my hands. The pleasure which I felt, when I found that our object was the same, however we might vary in the means of attaining it, is not to be described. And in full confidence of a generous people to rescue me from the suspicion of so mean an artifice as intending a side-wind compliment to myself, I shall not hesitate to give this public testimony of my admiration of a character so truly christian and praise-worthy, as his Lordship has displayed thro' the medium of his late publication.

There is, however, one point in which I apprehend the worthy prelate is mistaken. It respects the present revenue of the church, to which a value is assigned one million a year short of that which it is represented to be in the foregoing sheets: the two sums being to each other in the proportion of three to five.

It is possible his lordship may have founded his opinion upon the authority of calculations not recently made; and if so, the variation is easily accounted for. The value of estates, and such, in particular, as are situate at any considerable distance from the capital, where the spirit of improvements had not then made its way, having encreased within the century, to my certain knowledge, in a much greater proportion than that which is named.

Before I lay down my pen, as it is done with no invidious design to lessen any man's deservings, but merely to establish a fact, I hope I may be permitted to risk a comment upon the following extract.---“Some deans and chapters have, with a very laudable disinterestedness, appropriated a tenth, or, a larger part of their annual fines, to the repair of the fabrick of their churches.” Upon which passage I beg leave to observe, with all due deference to better information, that the revenue which the church is in possession of, was not granted, as implied by the words I have quoted, to the sole purpose of supporting the clergy, but expressly for the four following distinct uses: *viz.* For the poor one

part; another part for the maintenance of the parochial clergy; another for the use of the monasteries, and a fourth for *the repairs of Church fabricks.*

From which it appears, that the deans and chapters, whose disinterestedness is made the subject of panegyric, have in this respect done no more than their duty. They have, however, this merit; which is more than many others can lay claim to; they have acted up to the intention of the donors, which assuredly no time should defeat:

OBJECTIONS ANSWERED.

1st. THAT thirty years purchase for tithes is more than the average price of land.

Answer.---Let what will be the average price of land it does not apply to the present question. In such a case, for obvious reasons, the highest and not the average price should regulate the bargain.

2d. The plan on the whole is big with confusion and much injustice to the rights of patronage.

Ans. If any confusion should chance to ensue, it can only be of that kind out of which in the instant, regularity rises. And as to injustice, it hardly deserves the name, the right of presentment will still be the same, and generally speaking to better livings.

3d. The permanent payment is an unwarrantable abridgement of a reasonable power in the body of the clergy to take advantage like other men of times and circumstances to enlarge their income, which thus restricted may prove in succession, a fund too scanty for their subsistence.

Ans. By weighing together the credit and comfort of such a certainty, and that in the high value allowed for tithes, provision is made for the possible chance of harder times, all ground of complaint would seem to vanish.

4th. The plan of equalization will not only be a needless degradation of the order, but will have the effect to discourage learning, by

shutting the door of inducement that now stands open to men of letters.

Ans. It is not the dignity of the order but the sanctity of it that is to compass the end of the institution; and so far from having the effect to discourage learning by shutting the door against men of letters, the door will be opened much wider than ever. Ten thousand men * of letters may then look up in the very outset to ease and independance, which is not the present case; and still the mitre remains in view to crown the most distinguished merit.

But if these objections should still continue and cannot be overcome, if the general respectability of the order, on which in a great degree the cause of religion itself depends, must needs be sacrificed,---if having the means to make of the clergy not only the most independant body of men in the kingdom, but the most useful,---if having the means to make them the most contented, the most honoured, the best and happiest members of this community, we will not use the means, there let it rest: the

* Presuming the number of parishes in England and Wales to be ten thousand.

matter of tithes is a separate business, and may be adjusted singly thus.---

At every fresh accession of tithe-owner, whether he be Churchman or Layman, let there be made a new valuation of the tithe estate in question. Let this be done by the common mode of arbitration, and let those concerned be mutually bound by law, the one to accept in lieu of tithes, the other to pay the yearly sum adjudged; or let there be made an annual payment of 4l. per cent. on the gross amount of the sum those tithes would raise if sold, computing their worth at the current price of land to be then ascertained by the arbitrators.

By this most plain and practicable mode of accommodation, we may rid ourselves at once of all that is grievous and hard to be borne in matters of tithe, of all that is hurtful or can be productive of strife, of all that can breed disputes, give cause of complaint, or make a breach between the parties; and all this may be brought to pass, without infringing on any right, without abridgement of any power, and without disturbing the settled course of Church preferment.

A Q U E R Y.

Q.---Whether it would not be the most eligible mode of adjusting finally the tithe concern of this kingdom, that Commissioners were appointed by Parliament to ascertain the proportion which the present annual value of the tithes of an estate bear to the present annual rent of the land, and to convert the given tithe proportion into a perpetual money-payment, to rise and fall with the rent of the land? For instance, suppose the present value of the tithes of an estate to be one hundred pounds per ann. and the present value of the land to be one thousand pounds per ann:---If the rent of the land advances to fifteen hundred pounds per ann:---the money-payment, in lieu of tithes, to advance in like proportion to one hundred and fifty pounds per ann:---If the land rent falls to five hundred pounds per ann:---the money-payment to fall in like proportion to fifty pounds per ann:---and so in all possible cases, the ascertained standard proportion to remain invariable.

Ans. No objection is meant to be made to the proposition contained in the preceding Query; but in so general a concern as that of Religion, why should not the maintenance of its Ministers be made a general concern also, or at least as general a concern as it can be made? Why should the landed property be loaded with the whole exclusive burden? Why should they be constrained to pay not only for the care of their own souls, but for the souls likewise of all other men? And why should not property, as far as the same can be come at *conscientiously*, be made amenable to the support of the Clergy? The old impartial law had so determined the matter; personal tithe by that law having been declared to be as much the right of the church as predial tithe. But the vain idea of enforcing the payment of personal tithe has long since been very properly abandoned, as opening a door to iniquity, which no policy could justify, in the temptation it held out to relieve the pocket at the expence of the conscience, the value of such tithe resting wholly on the oath of the party called upon. Thus has it happened that all other property has been eased, while no relief has been given to the land. But, why should not personal property, the quantum of which

can be ascertained without ensnaring conscience in the discovery of it, remain exempt from payment? For instance, landed securities, why should they remain exempt? Why should mortgages have all the contingent evils of a sale, and none of the advantages? In the actual sale of any proportionate share of an estate, the vender remains subject to tithes only for what he retains of the land. Why then, should not the person granting securities out of land, be relieved from the payment of tithe in like proportion? And why should not that proportionate share of tithe be made good to the church by the party holding such securities? No real injury would be done to monied men, seeing that no more would be required of them than what they were bound in law to perform. It would not affect the Church. It matters not to that body, by whom the tithe is paid, so that it is paid. It might be said indeed, that as a mere personal matter, the tithe of the money, if due at all, must be due to the church, and ought to be paid to that body over and above the tithe land, and not in alleviation of it. But it is not so in fact, neither could such be the intention of law at any time. The income, in this case, arises out of the land which pays its tithe; and

to tithe the money also which derives an income from it, would have the effect of making the land pay tithe twice, which in no case is allowed. And why should not this idea be extended in similar cases, as the law directs, * in further relief of the land, to the land-tax payment, and even to the poor-rates and other assessments? That is to say, why should not the persons holding such securities pay their proportion of tithe, and all assessments of land in proportion to their respective incomes out of the land, so tithed and assessed?

Again.---Taking it for granted that the present possessions of the Church are adequate to its support, why should not the proprietors of the public funds, possessing a property which is equally ascertainable with landed securities, be made to contribute, as by law they ought to

* The law directs the land tax to be levied on all goods, merchandise, and personal estates. But the same good reason which has operated as a virtual repeal to that part of the tithe law, has had the like operation with respect to a similar part of the land-tax law. But either through the remissness of land owners, or through the superior address of monied men, the matter has been extended to points which are out of the pale of that repeal; that is to say, it has been extended to monies, the quantum of which may be ascertained otherwise than by the oath of the party,

do, to the maintenance of the Ministers of Religion? And, why should not their proportion be applied in diminution of the present partial and oppressive landed payment? And, why should not this idea be extended to the land-tax payment, the poor-rate, and other assessments? And, why should not the same be paid in ease of the land, and in aid of the particular district where the party happens to be resident? The Church would not be injured, receiving its present income unimpaired, which was premised to be adequate to its occasions. The state would not be injured, as taking nothing from it which it now enjoys. The funded property would not be injured, no more being required from that body than by law is enjoined to be paid.* And, after all, what is the fancied advantage that land will receive? A mere shadow of advantage more than it has all along been entitled to, though it has not enjoyed, and therefore no more certainly than is due to fair dealing. The general regulation would then stand thus. Supposing, for argument sake, the case to be as follows :---That the funded income amounts

* The land-tax alone excepted.

to ten millions per ann :---and the landed income to forty millions per ann :---the two together to fifty millions ; the funded property would then have to defray one fifth part of the burdens named, and it would rest with the proprietors of land and landed securities to make good the remainder. Thus would all property, as far as the same can be come at *conscientiously*, which is the point from which we started, be made to contribute its fair proportion to all exigencies, which would seem to top the measure of justice, and perfect the aim of law. This further end will also be answered, that it will save harmless for ever, the Constitution of this country ; for when all shall be made to feel an equal interest in its preservation, from what quarter can danger arise to an approved establishment ? The nation will then have to present a brazen wall against all-innovators ; it will become, as it were, consolidated into one body actuated by one and the same soul, ready at all times, and resolute throughout, to maintain the peace and good order of Society.

THE
DOCTRINE
OF
PRESCRIPTION
CONSIDERED.

AN out-cry having been raised against the principle of a *Nullum Tempus Bill* respecting the claims of the church, as an unjust attack upon private property, it is become necessary for me to investigate and explain the matter. And if in the course of my reasoning a discovery is made, which must prove fatal, not only to future claims, but even to many of those decisions, which have already been given in favour of the church, by such as may sustain the loss, let those be blamed who called me forth and challenged the enquiry.

All that is requisite for this purpose, is to consider the nature, force, and extent of the term, *Prescription*.

For the better illustration of which, let us place Prescription before us as a familiar object of the senses. Let us compare it to an arch. Considered in this light, that of the crown, which is the larger arch, is extended over all the real property in this kingdom. That of the church, a smaller arch, embraces but a part. Of which arch, in either case, former possession is the key-stone. And as no arch can stand without its key, so neither can prescription be supported without legal proof of former possession.

The crown, as the fountain of property, bears that proof in its bosom. But it is otherwise with the church, which is not the fountain of what it possesses, but the reservoir. The church possesses no land by virtue of original right; neither has it any inherent title to tithes. The title which it has in either case, is acquired, and as such waits the proof, if called in question. The possessions of the church are derived from the bounty of others, the donors are therefore, more pro-

perly, the fountain. And as that which has not regularly flowed from the crown, is still in the crown; so in like manner, that which has regularly flowed from the crown to the laity, and has not regularly flowed from thence to the church, is still in the laity. That indeed which has regularly flowed, through either of these channels, to the church, though lost for a time, is still, without any manner of doubt, their tangible property. In other words, where there is proof that any incumbent was heretofore in legal possession of that which is now claim'd by his successor, that case is in point, but there are no other to which prescription is applicable, or by virtue of which the claimant is entitled to a decree in his favor.

To say that prescription will help any man to that which no one ever possessed in the same predicament with himself, is an absurd idea. Omnipotent as this magician may seem, it is not in his power to create a right; all he can do is to recover that right which has once been lost. If you join issue with us in this definition, or whether you join or not, it is the buckler of truth, and will not fail us. It remains with you, therefore, my reverend friends,

to shew your right. Prove your possession. Make it appear that you have done so, and I will answer for it there is no layman amongst us, who has either honesty or common sense, that will resist the claim.

But do not come over us with your *jure divino's* and your other nonsensical plea of *common-right*. We are not now to be gull'd by such pretences. The insufficiency, the absurdity of which is manifest, from the evidence of those very exceptions which you admit to be good. To be consistent with yourselves, you should first set aside those exemptions, as some, indeed, have attempted to do. You should next proceed to reclaim all that part of tithe-property which is now in our possession; for doing of which you have sufficient encouragement, when you are told from good authority,---“ That it was by *strange means enough* “ *conveyed into lay hands.*”* If it is yours by right divine, or common-right, it neither is nor can be ours. Then take it from us. Is this your aim, is this your drift, is this your meaning? Speak out! for if it is, I will give

* Vide the Bishop of Landaff's Letter to the Arch-bishop of Canterbury.

it the praise of a mighty daring. When you have accomplished it, nothing will remain behind, but to recover the supremacy of the church, and your empire is re-established for ever.

I cannot proceed, without offering an apology to the good bishop for the application of that sentence, which as too apposite to my purpose, I have quoted from his letter. To do justice to a character, which I verily believe to be without blemish, I have no difficulty in saying that the present construction, tho' it is easy and natural, did not occur to his lordship. At a time when the seeds of dissatisfaction are shooting up rank and spontaneous in the minds of his brethren, instead of checking, to have encouraged their growth, by throwing reflections upon certain past proceedings, in the use of an expression which strikes at the root of their validity; and to have done this designedly, I can no more think of imputing to the bishop of Landaff, than I can credit that there is a settled purpose in churchmen, or in myself who abhor it, to bring about the restoration of popery. But it is certainly

a very awkward expression, and I dare say his lordship will think so, when he views it in the light in which I have placed it. It is moreover an expression forming a part of a sentence which has no particular business there; for which reasons, I have no expectation of finding it in the next impression of his letter.

To return to my argument.---One thing is perfectly clear, that in all cases of transfer, nothing is conveyed which is not comprised in the grant. The conduct of laymen has kept pace with this idea. When was it known that the land-holder was mounted so high on the pinnacle of presumption, as to venture to lay claim to that which is not contained in his grant? There is no instance of the kind. No, not even in the case, when that which is wanting to round his property was left out by mistake.

For the credit of the tithe-holder, would I could say the same of him. The tithe-holder on the other hand, by which I mean the church, I blush to say the reformed church, that church which is presumed to be the pattern of forbearance, the standard of tender conscience, acting

in all respects up to the true spirit of the gospel, that church, I say, puts in a claim.---To what? To that which from the evidence of ages has never been in payment. To that of which there is no proof set up, no, not even the pretence or shadow of proof of former possession.---To that which in fair construction, from the long testimony of their own silent acquiescence, confessedly, was never due, or if it had, was conveyed to us by legal means. ---To that of which the very name, * in many parts where it is now claimed, was not known till of late, nor yet fully understood, but as a barefaced innovation of the clergy, subversive of religion as productive of enmity, and big with ruin to themselves, as calculated to raise a spirit, which if it chance to breath forth,

Tho' now they rest on eider beds,
 Tho' now they lift their mitred heads,
 Tho' to their twisted strength they trust,
 Will quickly lay their pride in dust.

There is an observation of Sir Edward Coke's which is very applicable to the present purpose, and which as a further warning,

* Agistment,

to check rapaciousness I shall here beg leave to subjoin. His words are as follows,---“ That as
 “ the overflowing of waters do many times
 “ make the river to lose his proper channel, so
 “ in times past ecclesiastical persons seeking to
 “ extend their liberties beyond their true bounds
 “ either lost or enjoyed not that which of right
 “ belonged to them.” *

From what has been said, it is obvious that the proper defence against the claims of the clergy, is to put them upon proof of former possession: for prescription having reference only to the recovery of possession, till that is made appear, prescription is altogether impotent, and of no avail.

If any one is hardy enough to deny this, let him look to the consequence. The denial involves this most dangerous proposition,--- That the prescription of the church is paramount to the prescription of the crown; a doctrine too bold for any priest, or any high-priest in these our days to maintain in this country.

* Coke Inst. Vol. II, Chap. I. page 4.

It may, therefore, very well be laid down as a general rule, that the clergy are entitled to no other tithes but such as they have been in the habit of receiving by virtue of their respective endowments, or such as the custom of the place, from long possession, has sanctified to them. All other tithes of whatever denomination, save those alone which are admitted to be legally vested in the hands of laymen, belonged to the crown, and not to the church, as dormant rights, but are now for ever secured to the several proprietors of the land, by the late *Nullum Tempus Bill*.

The *Nullum Tempus* which is now proposed, is therefore of little importance to the laity, otherwise than as it will serve the cause of religion, by putting an immediate stop to the possibility of further litigation.

From this statement of the case, supported as it is on either hand by truth and reason, this inference must be drawn,---*That the present claims of the church are for the most part futile; and that all such decrees as have already been given in favour of novel payments, are founded in error, and liable to Reversal.*

ABSTRACT of a LETTER in Answer
to OBJECTIONS which were started
by a FRIEND.

YOU object to the following proposition:---
“The crown is the fountain of property,”
and controvert it by a case, the strongest, I
believe, that can possibly be brought to bear
against it, *viz.*---“That there were formerly
“in this kingdom certain estates and patrimo-
“nies called allodial which owed nothing to
“the crown but allegiance only.”

This argument of yours is, indeed, a very
powerful antagonist; I must, therefore, do my
utmost to prevail upon him to desert his co-
lours, and come over to my side. That is to
say, I must endeavour to prove that there is
no land in this country which was not held
either mediately or immediately of the crown:
not even excepting allodial land, which of all
others was the most free and independent.

For this purpose please to turn to *Domesday*,
and there you will find the subsequent words:

Quando moritur alodarius, rex inde habet relevationem terræ. And what is this *relevatio terræ*, what is this relief? It is in fair construction, a clear declaration of original right on the part of the crown;---an unreserved unequivocal acknowledgement of the same on the part of the heir. The case was this.---Upon the demise of any such person, the land so held fell into the hands of the king; and there remained, in default of an heir, *tanquam terra revertens in possessione donatori sive heredibus suis, post donum finitum.* But if an heir, conforming to the original compact, appeared, and made good his claim, he relieved his land, recovered possession, and held it, paying as you observe, nothing more to the crown, but *allegiance only.*

If further proof is wanting, do but attend to the word *revert*, which is as much as to say *return*. Now you, or I, or any man may go to a place where we have never been before, but we cannot return to a place of that description. In like manner, land may pass from one to another, but it cannot be said to revert to you or me, except it had been previously yours or mine, or his from whom we claim. To bring this argument home to our own

times.---Do not lands at this day, for want of lawful heirs, revert to the lord of the manor of whom those lands are held? In default of whom, do they not ultimately revert to the crown? Seeing then that all lands may by time and chance revert to the crown, and that none can possibly revert where they had not been before, it follows from these premises, that all lands did originally flow to individuals from the crown, and consequently that *the crown is the fountain of property.*

You alledge in return, “that the words I
 “ have quoted from Domesday, have no refe-
 “ rence whatever to the state and condition of
 “ property before the conquest;---that they
 “ are not what I have supposed them to be,
 “ a clear declaration of antient right, and the
 “ usage of England; but of that agreement
 “ only, which taking place between the king
 “ and the people, did then give birth to the
 “ right in question. That the love of enter-
 “ prise, and martial fame, which was the cha-
 “ racter of the age, first paved the way for this
 “ great revolution in property. The barons seem-
 “ ing to vie with one another who should be
 “ foremost to surrender their antient indepen-

“dent rights, in order to hold of the crown
 “by military service; an example which ran
 “like wild-fire through all ranks and condi-
 “tions of men.

“That some few, indeed, were unwilling,
 “and others through age or infirmities were
 “unable to conform to this new regulation. It
 “was therefore enacted, as Domesday recites,
 “with an eye particularity turned to these
 “recufants---*Quando moritur alodarius, rex inde*
 “*habet relevationem terræ*; that is to say, upon
 “the demise of any such person, the tenure
 “shall be changed, and the heir for the time
 “to come shall pay a relief like other feudal
 “tenants.”

Be this as it may, the explanation, if just,
 does not go to invalidate the doctrine en-
 forced, but rather helps, to strengthen our be-
 lief of these essential truths,---that *the crown*
is the fountain of property, and that *the church*
has no inherent title of tithes. The first of
 which admits of no doubt from the date of
 Domesday, that is to say, from the general
 establishment of feudal tenures in England,
 which is far enough back for our present pur-

pose. And the latter is evident from this circumstance, that the monasteries before the dissolution were not exempt from feudal services.

And here I might well content myself to let the matter rest, was it not necessary for the sake of truth to observe further, that it appears by laws and ordinances of ancient kings before the conquest, and especially of king Alfred, that the first kings of this country had all the lands of England in domain, and that reserving to themselves, *Les grand manors and royalties*, they enfeoffed the barons of what remained, for defence of the realm, with such jurisdiction as the court baron now hath, of which court the freeholders were instituted the perpetual judges.*

You mention another instance, where lands were bound by no kind of service or rent to a superior lord, *viz.* "Lands which were held "by the church in frank-almoigne,"

The fact you name is not to be denied. But happily it does not at all affect the validity

* See Fleta Lib. IV. 6. 15. & VI. 6. 49. Bracton Lib. V, 434. See also Coke Lyt. Vol. I. page 58.

of that maxim on which, as on a solid rock, my colossean arch is built. For even admitting that land in frank-almoigne was held not only free of rent and service, but of every kind of stipulation, which is supposing a case that never did exist in so much latitude, this further proof will still be wanting to the adverse side,---that the land in question was possessed as constitutionally inherent in the church, was enjoyed as part and parcel of its own peculiar essence. No other proof but this can make impression; no other efficient battery can be placed within reach of the structure. Till this engine can be brought to bear against it, the work is unassailable. It stands and ever must remain in strength and beauty undiminished, unimpaired. Now, this inherent right you have not proved; this battering ram you have not brought into the field, neither indeed have you attempted to do so. But you have manfully, and upon good ground, asserted this very opposite truth, *viz.* That the possessions of the church either flowed to them directly from the crown, or indirectly through the channel of some superior lord. Your words are these:---“ It appears manifest “ to me in the course of my reading that the

“endowments of churches and cathedrals, be
 “they tithes, oblations, or lands, were royal
 “benefices, or the free gifts of well dis-
 “posed and superstitious people. Some, in-
 “deed, thought proper to reserve by way of
 “exemptions from taxes, &c. part of their
 “donations, and these in all likelihood, are
 “the present tithes in dispute.”

You direct your attention in the next place
 to the following proposition:---“One thing is
 “perfectly clear, that in all cases of transfer,
 “nothing is conveyed which is not comprised
 “in the grant.” You admit this to be a pos-
 tulum from which neither side can with-
 hold its assent. And yet you say a question may
 arise, as in the case before us, respecting the
quantum of that property which was meant to
 be conveyed.

But let me ask you---is it not to give every
 advantage which reason can expect,---is it not
 to do all or more than justice could require, or
 candor's self would recommend, to admit of that
 construction of the words, which they of their
 own body, which their peculiar friends, have

all along, by wilful and deliberate acts, not once, or twice, or twenty times, but evermore declared to be the true intent and meaning of the grant? And yet these pious men, Oh fie upon it! spite of reason, candor, justice, and to these I may subjoin, in spite of honour, conscience, truth, and common sense, have laid aside the evidence of those whom interest, duty, inclination, prompted and impelled to do the very uttermost in their behalf, because that evidence disproves their claims. Exhibiting by this one special deed, to public view, themselves, as knaves, or those as fools which went before them.

As to that which is said respecting the prescription of the church, it is not intended, by what I have urged, to molest the clergy in the peaceable enjoyment of their known rights; my only aim is to overthrow their title to novel claims, to put a stop to the present rage of demanding tithe of things in places where they had never before been in payment. Such, for instance, as the tithe of agistment, which in many parts where it is now claimed, was altogether unknown till the clergy of late

attempted to introduce it. The pretence for which is this---that it is paid in other parts of England ; not considering that where it is paid, there it is sanctified by custom immemorial and long possession : * or rather not admitting the plea ; for the present doctrine of the church maintains an equal right diffused over the whole body, which though not exercised, is exerciseable at pleasure. But that man must have more faith than would suffice to move a mountain, who can believe that the clergy, till this time, were either so blind to their own interest as not to discern their right, or seeing it, that they had generosity enough to make us a present of their property during so long a space. This is a circumstance so highly improbable, so far exceeding the bounds of human belief, that any person who weighs it, will find himself inclined to class it amongst the number of physical impossibilities.

In considering the two cases, the great difficulty which we find on the part of the church, is to reason ourselves fairly into a belief of

* The manner of payment of tithes is for the most part governed, as Bishop Gibson observes in his Codex, page 706, by the custom of every parish.

their right. On the part of the laity the greater difficulty occurs to reason ourselves out of it. The features of the layman's plea appear so strong, and carry such conviction to the mind from their likeness to truth, that they have hitherto been deemed sufficient to deter every conscientious clergyman from meddling in the business. Neither will any such be prevailed upon to quit the beaten path, till some satisfactory reason is assigned why their predecessors, who have discovered upon all other occasions the most tender concern for the rights of the church, whose jealous eyes were ever on the watch to guard its property, have conducted themselves in so strange a manner, have acted so weak and inconsistent a part, as to strain their attention to dues the most diminutive, to rake the very kennels of their rights in other instances, yet leave those richer streams of which we treat to flow for ages to another's use. Till such time therefore as they receive satisfaction on this head, I may venture to say that no conscientious clergyman will make the claim, rightly judging from the long and peaceable possession of the laity,---from the silent, uninterrupted approbation of those whose duty

it was to disprove the right,---from the known vigilance of the parties who were to benefit by their discovery,---from that attention to their interest which never before was impeached, that in the clear conviction of all those of their own body, who have gone before them, the clergy have no title whatever to the tithes in question.

I will now explain to you, by a very probable conjecture, the reason why the laity are not furnished with more direct evidence of their right in the case before us.

In early days, the great notoriety of the fact, and in all succeeding times the quiet possession, might well be supposed to supercede the necessity of preserving other evidence of a right, than that which was thus written as it were in the memory, printed and engraved upon the very hearts of men. Neither could it enter into the honest imagination of human beings, much less of christians to conceive, that at any period of time, the professors of sanctity would do a deed in face of day so profligate and shameless, as to give us reason to lament that provision was not made for such contingency--Will

this suffice, or shall I be told in Shylock's words:

“ Till thou canst rail the seal from off my bond

“ Thou but offendst thy lungs to speak so loud.

To such an unprincipled answer, no other reply is requisite, than to observe that the author does not address himself to men of that determined cast; but to such only as are open to the acknowledgement, as well as to the conviction of truth when it comes before them: And so to proceed.---

I have thus far laboured to prove that novel claims are vain and futile; and for this reason principally, that the law of the land guarantees to us the enjoyment of our immunities, no less than it does to the church their customary payments. But churchmen are pleased to say there is something peculiar in their situation which differs from ours, for that we through time may loose our right which cannot befall the church. Admitting this, they say further, that tithes are theirs by common-right, and therefore the portion of them which we have detained, and they think fit to claim; must be given up.

But what do they mean by *common-right* distinct from *common-law*? I say distinct, for one and the same they cannot be, if common-right will do that for them which common-law will not do for us; for that would be nothing short of making the same cause produce opposite effects, which will not pass,---except they plead what churchmen of old would not have scrupled,---“ The course of nature changed to favour their pretensions.”

But seriously speaking, if common-right with respect to them, is the same as common-law with respect to us, the whole on either side is reduced into custom. Then what will follow? That as custom against custom cannot be pleaded, so neither can common-right against common-law. To give their plea the advantage they claim, it is necessary for them to produce a statute, by which with respect to us the usual course of common-law is expressly barred. For common-right would else be greater than common-law, which cannot be granted, for nothing is greater but statute law. All they can say therefore amounts but to this, that the right by which they claim, and that by which we hold is fairly balanced; but then the advantage is certainly ours, by nine points out of ten, who have the possession.

But you say in answer, “ That the mischief
 “ is deeper seated than I imagine, that the
 “ remedy proposed will never reach it, that
 “ the plea adduced would serve us well, and
 “ prove a good defence in every other case, but
 “ fails us here, since all agree we cannot frame
 “ a title by common-law to tithe possessions.”

Then let it be so, and let it be said, if nothing short will give content, that we have enjoyed these tithes by usurpation; and that time, nor custom, nor consent of ages can correct and sanctify this wrong. Admitting this in all its force, it goes no further than to our deprivation. It will not go to substantiate their claim, for that would be saying, that all is theirs which is not ours, which is not proving but begging the question.

“ Then whose is the right, you ask, to the
 “ property claimed if neither theirs nor ours ?”

That question answered develops a truth, in my opinion, which solves the problem of past forbearance.---The right is the Kings, it dwells in the crown,---a truth at present but dimly seen, which prompts the party to take advantage, but

perfectly clear and well defined, when they were induced to acquiesce.---Then how will the matter stand on that suggestion? That they who claim can make no title.---That we who hold can make no title, but under the title which was in the crown transferred to us by the late Nullum Tempus bill. By which decisive act, those dormant claims became extinct, or passing to us became annexed, rivetted, and finally secured to the several proprietors of the land.

And now that I have had time to revise my thoughts, I am still of the same opinion. I verily think as ever that the plea is conclusive against the church. For the King, you know, is a mixt person, and not incapable of tithes as simple laymen are said to be; of course the plea of Nullum Tempus which they set up, and on which they insist as conclusively binding against us, will not avail them on this occasion, inasmuch as it cannot be brought into play to deprive the crown; it has no root but in the incapacity of the person against whom it is urged to take tithes in his own right, none but spiritual persons, as they pretend, being so entitled; but the King in the eye of the law is a spiritual person, and therefore the King is capable of tithes.

You next assail me with the following question.---“ By what title then have we held “ these tithes from the crown? By grant ?” Perhaps we might, but I do not say so. Perhaps by usurpation, or by sufferance of the crown. But be this as it may, it makes no difference with respect to our present title. For, it is now out of the power of the crown to reclaim them from us, which ever way we came possess,---just as much as it is out of the power of the church to claim them from the crown, which ever way the crown came by them, by lapse, surrender, or reserve. For now the crown can no more plead the *Nullum Tempus* against us, than the church can plead it, or ever could against the crown.

When we view the subject as here traced out, resistance on our part will no longer appear to be the mere simple consideration of self defence; we shall find ourselves called upon by other duties, by gratitude to him that gave as well as by love to the constitution, to repel an attack, to ward a blow where the crown itself is in the line of direction. Not wittingly perhaps, I will not yet say wittingly in that direc-

tion, but all men will say so, and will be justified in what they say after this explanation and the caution it conveys, if they do not forthwith desist from their purpose, if they do not from that which is now imparted, abjure *their lawless their disloyal claim.* For perseverance from this time forward will change its complexion,---the plea of pursuing a doubtful right with a fair intention, will hold no longer; but this will hold, as the only construction which can be put on such proceedings, that they take for their aim the life of the state. And therefore if they, disdain all admonishment, if they, like moths that scorn the friendly warning hand, persist in their design, and needs will rush into the flame which must consume them, there is no other way of accounting for such conduct, there is no better apology to be made for them, than that which is couched in the words of the Motto to this Publication. To which, as it will then be truly and awfully picturesque of their lost condition, I beg leave to refer you,

NARRATIVE
OF
PROCEEDINGS

AT A
COUNTY MEETING,

Held in the TOWN-HALL, MORPETH,

On Wednesday the 22d Day of December, 1784:

Respecting the PAYMENT of TITHES,

THIRD EDITION,

TO THE
F R E E H O L D E R S

O F T H E

COUNTY of NORTHUMBERLAND.

GENTLEMEN,

NOT altogether conforming to the words, but perfectly in the spirit of your resolution, the High Sheriff has printed, *for the more satisfactory information of the Public*, the whole proceedings of the County Meeting, held at Morpeth the 22d ult. He felt at first some hesitation in this case, from the dread of impropriety respecting the previous publication of the intended Petition; but this was soon overcome, when he considered that it was here submitted to you in a state of preparation only, and approach to perfection, and not as a finished piece, already becoming the dignity and wisdom of those to approve, who are ultimately to sit in judgement upon it.

Knowing the value of good foundations, he has spared no pains upon this occasion to lay them deep, and, as he thinks, on living rock ---but of this you will judge. In the choice of materials, the preference has been given to those of greatest weight and strength, and all the little skill, of which he is master, has been exerted to range them advantageously.

Trusting, therefore, to your candour and discernment, he has ventured to lay the Petition before you, *such as it is*, that he may receive it again from your hands at some future day of meeting, *such as it ought to be*.

He is sorry to find that some serious objection has been made to the wording of the notice * by

* The NOTICE as follows.

To the FREEHOLDERS of the County of
NORTHUMBERLAND.

FOWBERRY-TOWER,
Nov. 24, 1784

GENTLEMEN,

THE Encroachments which have been made, and are daily making by the Clergy on your landed Property is a circumstance of so much serious alarm, that I think it my duty to call you together, in order to take the same under consideration. I do

which the County was convened on the late occasion, it having been censured, as needlessly offensive to *some*, and as unintelligible to *others*.

In answer to which he can only assure you, that the matter alluded to by the word *encroachment*, was so familiar to himself, and was besides of such public notoriety, that he did not entertain the smallest suspicion of having left thereby, as alledged, his meaning in the dark, otherwise he would certainly have accompanied it with a proper explanation,

As to the other part of the charge, he can safely say, that it was not in his intention to give offence, though he must acknowledge it did occur to him that offence might possibly be taken. Under this impression, he would willingly have relinquished the word in question, but he could not possess himself of another to suit his purpose. No other could be found which

therefore appoint a Meeting for that single purpose to be held at the Town-Hall in Morpeth, on Wednesday the 22d day of December next, at the hour of Twelve at Noon.

I am,

GENTLEMEN,

Your most devoted humble Servant,

FRANCIS BLAKE, SHERIFF.

pointed out, and was declaratory, at the same time, of his sense of the claims; and, therefore, none else could be substituted; which would at once embrace the object, and his own justification.

He flatters himself that this explanation will plead his sufficient apology, resting his hope upon this ground, that he has yet credit enough with the Church to be believed, when he says, that he would not have thus produced himself in opposition to their claims, had he not been convinced in his own mind, *that the Clergy have made, and are still making encroachments, or gradual advances upon the rights of others.*

I am,

GENTLEMEN,

Your most faithful,

And obedient Servant,

FRANCIS BLAKE, *Sheriff.*

N A R R A T I V E.

THE Company being assembled in the Town-Hall, and the Sheriff having taken his seat, he rose and addressed the Meeting as follows:

GENTLEMEN,

I have taken upon me, by virtue of my office, to assemble you together, and I have ventured to do so under this persuasion, that although I have hitherto failed of success in respect of my main design, * your disapprobation did not extend to that part of it which has reference to the present question of Tithes; so far from it, that I have every reason to believe, I failed only in that particular, because the subject was entangled with matter, for whose relish our appetites are not *even as yet* sufficiently sharpened by what we have suffered. But no more of this---I informed you, Gentlemen, in my Advertisement, that this

* See page 110.

day should be devoted wholly to the subject of Tithes, and I mean that it should be so. It is on the faith of that declaration that you have done me so much honour by your appearance this day, I will not, therefore, deviate therefrom in the smallest tittle. To do otherwise than I proposed, could answer no purpose but to heap at once disgrace and disappointment upon my head: for, though I blush to think how slender is my stock of knowledge, yet this I know full well, from my own temper and disposition, from the experience which I have had of others, and best of all, from the evidence of historical facts, how impossible a thing it is to prevail upon Englishmen to do any thing against the grain. Their love, their rage of independence is such, that they will rather submit to all the inconveniences of evil, than take a good otherwise than of their own free choice. This is the kind of spirit which foreigners condemn in us, but I think it is through envy of it, that they do so, for what risk can there be of its leading us materially wrong, while it is counterbalanced with so much national good-sense? For my own part, I am so far from finding fault with it, that I give it praise in the highest; I consider it as the root out of which our liberty

has sprung, and by which it is sustained. These are sentiments, Gentlemen, which are incompatible with any intention to presume, or desire to dictate to you, in the smallest degree; and such as they are, I trust it will ever be said of me, that my conduct has kept pace with them. On a late occasion you can all bear witness, that I persisted no longer than I had reason to believe you gave me encouragement. And now I am so jealous of my proceedings, lest they might be suspected to wear an appearance of controul, that I shall not even take advantage of my situation, previously to obtrude my thoughts upon you : but will leave the field open for any Gentleman to enter, hoping that some plan or proposition may be brought forward, which will render it quite unnecessary for me to do any thing more than concur with you in one hearty determination to adopt it.

The Sheriff having resumed his seat, an interval of silence ensued; and as there did not appear to be a disposition in any Gentleman to open his mind upon the subject, Mr. Watson, of North Seaton, arose, and addressing himself to the Sheriff, gave him thanks for the trouble and pains he had taken to serve his country,---

hoped he would persevere for the sake of religion, the peace of society, and the happiness of the kingdom; and requested him to favour the Meeting with *his sentiments* upon the subject.

This necessarily calling up the Sheriff again, he repeated his desire to have been permitted to reserve himself; yet, in obedience to the mild commands which had been laid upon him by the Gentleman who spoke last, in requesting his sentiments, he would no longer hesitate to give them the trouble of hearing what he had to offer upon this most interesting question of Tithes. He then proceeded as follows:

Before I had taken the pains which I have since done to inform myself, my mind had long laboured with a doubt on which side of the question justice should declare herself. I had therefore two motives to induce me to enter upon the investigation of this difficult point, my first was to advance religion, and promote the peace of society, by putting an end to the disputes between the Clergy and the Laity, one way or other. My next was to gratify my own feelings by the solution of a doubt, for all other sensations, that of a doubt, to me, is the most distressing. Taking truth,

therefore, for my aim and my object, I set out in pursuit of it, divesting myself as much as possible of all prejudice and partiality, and fully determined, where-ever I should find it, whether on this side or that, to bear testimony to its presence, and give it my support.

While I was musing with myself in what manner it were best to proceed in this business, a dispute which would admit of no accommodation, arose between the Rev. Mr. Whinfield, myself and other proprietors of the land in the Chapelry of Cornhill, respecting the payment of Tithes. And as the nature of his claim involved the general question, it gave me pleasure when I heard that Mr. Whinfield had taken up the resolution of referring the matter to the decision of the Court of Exchequer. I flattered myself that, in the progress of that trial, the truth would appear. But unfortunately, by some mismanagement on our part, no proper defence was set up--- the great point in dispute was never argued, and a decree was given, almost without striking a stroke in favour of Mr. Whinfield.

From the circumstances of the case here related, you may be well assured, Gentlemen,

that this decision could give me no satisfaction. My scruples remained the same. What was next to be done? It occurred to me that although Mr. Whinfield was the ostensible person, he was not the first mover of this machine,--- he was only an instrument in the hands of the Dean and Chapter of Durham, of whom he held a lease of Tithes, under colour of which he had set up those claims, which were then, and are still contested. I determined, therefore, to open a correspondence with the Dean and Chapter of Durham upon the subject, hoping, by means of their candid communications, to come at the truth. But in this expectation I was most egregiously disappointed!---Wrapping themselves up in darkness and in mystery, they answered my questions only in general terms; and, when I endeavoured to bring them closer to the point, they referred me for their *ultimatum* to the late decision of the Court of Exchequer.

Nothing now remained but an appeal to the House of Lords. I sat myself down to frame one---It is here in my hand---drawn in my own name; it could not, indeed, be other-

wife, for no one else was privy to the application which was made to the Dean and Chapter of Durham; and it is owing to my failure in that last expected source of information and redress, that I plead the necessity of troubling the House. This circumstance, however, need be no hindrance to your support; neither indeed will it weaken the effect of the petition; on the contrary; it will give it strength, as backed by your approving, it will have more weight, than if it had even originated with yourselves.

I have only further to observe, that you will find, in the framing of this appeal, I have been much indebted to the last edition of that Pamphlet which I had the honour of recommending to your notice. * The arguments which are there made use of, I have endeavoured to apply and reduce to practice. And now, Gentlemen, having said all that is necessary by way of preface, I shall proceed, under favour of your further indulgence, to state the Petition. This being assented to, the Sheriff read as follows:

* See page 77

Outlines of an intended, Petition by way of appeal to the House of Lords, from a late decision of the Court of Exchequer, respecting the Payment of Tithes, humbly submitted to the sense of the Freeholders of the County of Northumberland.

THAT your Petitioner and Appellant is disturbed in the peaceable enjoyment of his property, by the Rev. Mr. Whinfield, a Lessee of Tithes held under the Dean and Chapter of Durham arising from Land in the Chapelry of Cornhill, within the Parish of Norham, in the County of Durham.

That the said Mr. Whinfield, under colour of his lease, laid claim to certain Tithes which never were in payment, nor ever before in demand, within his particular district, and was resisted therein by your Petitioner, and other Proprietors of the Land.

That the said Mr. Whinfield, thereupon, instituted a Suit in the Court of Exchequer, to enforce the payment of the said Tithes.

That the Court of Exchequer decreed in favour of the Lessee, Mr. Whinfield, the Plaintiff in the suit.

That your Petitioner was dissatisfied with this decree; not however, merely because it was given against him, but because it carried no conviction to his mind.

That under this dilemma, hoping to receive satisfaction in one way or other, from the candour and justice of so respectable a body, your Petitioner made application to the Dean and Chapter of Durham, requesting to be informed, whether Mr. Whinfield laid claim to the Tithes of Agistment, and other Tithes which are novel, in respect of the place, by virtue of any power derived from them to the said M. Whinfield; and in such case, your Petitioner intreated them with earnestness, but at the same time great respect, to put an end to the present disgraceful warfare, either by transmitting to him a copy of such particular clause or clauses in their deed of endowment, as appeared to them to be in proof of their right; or otherwise, in default of such proof; to interpose their great authority, and thereby silence claims.----

Whose dreadful sound affrights the Isle,
From her propriety.————

That the Dean and Chapter of Durham made answer in general terms, to the following effect :--- That they were intitled to all manner of Tithes of Cornhill, by their endowment--- that they had granted all their interest in the small Tithes to Mr. Whinfield; and that it would be highly improper to interpose their authority, to impede the prosecution of right.

That your Petitioner admitted the propriety of the observation, “ that it would be highly “improper to interpose their authority, to “impede the prosecution of right,” and strengthened the same with this additional sentiment---“ that it would have been equally “unbecoming of him, to have asked it.” His request, however, was this,---that they would be pleased to put an end to this disgraceful warfare, either by certification of their right ; or otherwise, in default of such proof, to interpose their authority, in a case that would seem to become them, *by putting a stop to the progress of wrong.* Presuming, however, by their answer, that the steps which had been taken by their tenant, Mr. Whinfield, were approved by the Chapter, your Petitioner im-

portuned them, to disclose the ground work of their present persuasion, which implied, that all those who have gone before them, were either ignorant of their duty, and interest, or wilfully neglected them. As also to explain, by what new power of perception, they who are the most remote, have been able to discover the parts of an object, which were invisible to those who were nearest at hand.

That the Dean and Chapter of Durham, signified to your Petitioner, “that they had
“ nothing further to add to their former answer,
“ except that it seemed to have been sufficiently
“ declared by the Court of Exchequer, in their
“ late decision, what is the Dean and Chapter’s
“ right of Tithes under their endowment.”

That no hope remaining of any redress to be expected from the good offices of the Dean and Chapter of Durham, your Petitioner trusts, he will stand excused for the trouble he may occasion to your Lordships by this appeal, the merits of which he now proposes briefly to lay before you in the following manner.—

That your Petitioner, his Ancestors, and all

those whose Estate he hath in the said premises, have time out of mind possessed and enjoyed, without molestation, the right in question, as part and parcel of their own inheritance.

That the Dean and Chapter of Durham, or their Lessee for the time being, have all along accepted, without murmuring or complaint, that payment of Tithes, either in money or kind, which has regularly been made, year after year, from the date of their endowment, till the commencement of this unhappy dispute, *in full satisfaction of all demands.*

That your Petitioner thinks himself warranted to say, from this recital of facts, that the decree which was given in favour of the Lessee, was not what it pretended to be, and ought to have been, a fair interpretation of the common law of the land, but, on the contrary, was a partial adjudication of that law, inasmuch as the operation of it, in favour of your Petitioner, was not considered, or not suffered to take effect, in securing his property.

In the first place---That the Court of Exchequer did not support, as it should have done, by this proceeding, but did trample under their feet, the common law of the land, is manifest from this consideration, to which every attention ought to have been paid, but none was given, viz. "That the common law of the land guarantees to the party those possessions which have been held immemorially without molestation." This is so general a rule, that there is now but one only remaining exception, which operates in favour of the church, where it can shew a title, or prove itself to have been heretofore * in legal possession of that which is now claimed; but as this was neither done, nor even attempted to be done in the case before us, it was not a case in point, it did not apply as an exception; and therefore the claimant was by no power entitled to a decree in his favour. But in this the Barons were not to blame, who framed their decree from the pleadings before them, and for aught that appeared there to the contrary, the points in dispute were clear in the plaintiffs favor.†

* That is to say since the acts prohibiting the alienation of church property took place.

And, secondly, that the Court of Exchequer did not distribute impartial justice when it set aside your petitioner's title, to make room for that of the Dean and Chapter of Durham, is apparent from the following observation :--- That there were two titles before the Court, both of which affected to rest upon the same ground, the *common law of the land*. That the one was overset which had proof of its footing*; that the other, which had no proof, obtained a footing, which it never had before, by the award of the Court. But neither in this were the Barons to blame, since nothing was said to support the one or impeach the other title.

That the proof of your Petitioner's right consisted, as has already been shewn, in peaceable immemorial possession, which was surely enough to have entitled him to that protection, which he did not find in the laws of his country.

That the title of the Dean and Chapter, was raked from amongst the rubbish of church prescription, with which, however, it had no connection, as has been shewn, † and therefore, had

* Immemorial possession.

† See page 224.

it not been as it were extrajudicially upheld, would have fallen to the ground, a *cureless* ruin.

But what right have we to reproach the clergy for what has happened, since it is we ourselves who, for want of sufficient confidence to face our danger, have fostered the evil of which we complain. Overawed by our fears, we have taken on trust a vague report, that the Church Prescription is an object of terror, whereas in fact it is mild and inoffensive as any precept of that Religion to which it is related. Mistaking it, however, for an instrument of annoyance in the hands of a skilful determined practitioner, we kept ourselves at so awful a distance no eye could discern the imposition upon our senses; and had not a different course been taken, it had not been known as yet, that what they brandished and made us believe was a flaming sword, had neither point nor edge to do us mischief.

That your Petitioner speaks here with reference to a late publication, entitled “ A proposal for the Liquidation of the National Debt, the Abolition of Tithes, and the Reform of the Church Revenue,” which little work abounds with hints on all those various heads, which lay some claim to your Lordships notice,

That, in tracing the subject, which forms the ground of the present dispute, the author in question, has bared to view that fatal error, which has drawn along with it a world of mischief.

That the error alluded to respects an opinion which has gone forth, that there is no discrimination between the prescription of the crown, and that of the Church; whereas, in fact, the prescription of the church differs from, and is inferior to the prescription of the crown. The one involving an idea of a right, which proves itself, because it is inherent---the other of a right which waits the proof, if called in question, because it is acquired. By comparing the practice with the principle here laid down, we see clearly why prescription was wont to operate as a matter of course, where no title could be shewn to bar the crown; we see likewise with what little propriety and shew of justice, the like extent was allowed in the late decisions to the prescription of the Church; had the right been equal, the resignation on our part had been equal also; but such was the wrong, that, like an antipathy, we held it in abhorrence, though we knew not why.

That of late years it has grown into use with certain divines, in order at any rate to

compass their end, and levy upon us, to set all those considerations at nought, which men of virtue in all ages have ever deemed most worthy their attention: the consequence has been, that by those, whose duty and whose prime delight it should have been to harmonize the world, by some of those descending from their sphere, the peace of Society has been disturbed ---religion despised---the law disgraced---and nature itself turned topsy-turvy. That which is the servant has been dubbed the master---that which is the child has been called the father---that has been found which never was lost. This is no exaggeration, but truly and literally the state of the case; for what else is this boasted prescription, but merely the servant and child of right? Yet strange to tell, it has not only been made to take place of, but to gender and produce that very right to which it is indebted for its own existence. And thus it is that by our defect of worldly wisdom, or by their surcharge, the Clergy have had the address to grasp at and gain possessions, to which they had not in strictness any manner of right, have affected to find and arrogate Tithes which were not lost by them, nor ever lost at all till now by us.

That to your Petitioner has been imputed the guilt of an attempt to molest the Clergy, in the peaceable enjoyment of their *just rights*; but he humbly conceives your Lordships are by this time thoroughly convinced that it is not a charge which applies to him. Certain it is, that no such attack has been made on his part, neither can any one say that he has enlisted himself a volunteer in the present dispute, but quite the contrary.---He has been dragged into the field by his adversary, and all he has done, is to endeavour to defend himself, and to throw back upon his antagonist the blame which belongs to the first aggressor.

That your Petitioner is so far from having harboured designs to narrow the fair pretensions of the Church, that he has at all times, and upon all occasions, stood up in defence of their claims, as far as truth and common-sense would bear him out; ever free to confess, where loss of right* is clearly proved, that the prescription of the Church, is competent to its recovery. And then only turning refractory, when it was required of him to subscribe to a proposition, which bears upon the face of it, broad and self-evident marks of absurdity, for

* See the right here alluded to explained, Page 309—337.

what better is that proposition, which states, that prescription will help any man to that, which no man ever possessed in the same predicament with himself*.

That your Petitioner begs leaves to disclaim all unworthy motives to resistance, and to assure your Lordships that he has not conducted himself; in the present business, either wantonly or perversely; but has acted all along; as now, under the influence of a strong conviction, that the proper defence against the claims of the Clergy, is to put them upon proof of former possession; and that the proper criterion by which to estimate those claims, is to canvas the proof; confiding; therefore, in the wisdom and justice of the House, he craves; with all humility, your Lordships determination of the following points:

“ Whether the Prescription of the Church
 “ was properly applied to the present dispute,
 “ no proof having been brought of former
 “ possession?

* No man could possibly possess any particular tithe, before that tithe was in *esse*. Turnips, Potatoes, and other articles of merely modern growth are of that description; they were not in *esse* as objects of tithe till of late years, even within memory; and yet the expectation is, that prescription, which implies immemorial usage, will help the claimants to those tithes! See the absurdity of such claims exposed, p. 228.

“ And, whether the Court of Exchequer,
 “ by making a decree, under such circum-
 “ stances, in favour of the Lessee, did not
 “ decree against the common law of the land;
 “ degrading that law, * making it subservient
 “ to a mistaken construction of Church Pre-
 “ scription †, or in other words, setting up
 “ the Prescription of the Church, paramount
 “ to all other considerations of right, which
 “ is *feeding a Vulture with the vitals of the*
 “ *State ?*”

Here the Sheriff, addressing himself to the Meeting, observed, that it was his first intention to have closed his appeal at this period; but in taking it further under consideration, it struck him that all this would avail him nothing, while the present prevailing opinion remained, *That Laymen cannot, at any rate, prescribe against the Church*; and that, therefore, he had thought it necessary, with intent to remove the difficulty, to subjoin what follows,

* The common law hath no controller *in any part of it* but the high court of Parliament. Coke Lyt. Vol. I. page 115.

† The original deed of gift is the root of all clerical claims; Prescription, and every plea set up, are only suckers from that root, of course can yield no other fruit but that of the parent stock. See p. 228.

That in the common course of business, your Petitioner might here have ventured to close his defence, as thinking himself sufficiently fortified, but in this concern he had erred most fatally, had he so determined; for what is argument, what is reason, or what is common-law, together warring on his side, when opposed to stronger prejudice, operating upon conscientious minds, in favour of the Church? Prepossession of an opinion, that Prescription cannot be pleaded against the claims of the Clergy, of what advantage can it be to your Petitioner, while that conceit remains, to call your Lordships attention to a fact, clear to him as proof of holy writ, but which carries along with it to others no evidence of his right?--Here lies the rub--It is owing to this circumstance, to the dread and currency of this vulgar error, that Laymen have hitherto been so backward to engage, and so weak in resistance. Wanting confidence in their cause, prejudging defeat, they have not dared to reconnoitre their ground, or make observation upon the enemy, but have entered the field unacquainted with its passes, more than half overcome by their own apprehensions; neither can any one have reasonable hope of better success, while this idea rests upon his mind, or what is worse, if such should be the case, while your

Lordships remain under the influence of the same rooted opinion. With this impression stamp'd and uneffaced, without prospect of erasing it, what else had it been but madness in your Petitioner, to have stepped forth upon this occasion, and oppos'd himself, singly, to a phalanx of men trained to the service, daring and adventurous, true to themselves, and flushed with victories? But knowing, or seeming to know, their weakness, as well as their strength, he trusts it will be found, that he comes prepared with artillery to shake the foundations of their power, to raze the walls of their citadel, that impregnable fortress, that asylum of saints built by divines, though not divinely built as fix'd on sand, not proof against the storm that now assails it. ---To proceed---We are told, and are made to believe, that Prescription cannot be pleaded against the claims of the Clergy; we are told so, but in what law, human or divine, is it so recorded? There is no such law, neither is there any such maxim of law, as that of which the Church avails itself. Nay more, the very words under which they have taken shelter, form no part of the original maxim, * they are spurious

* The original maxim runs simply thus, — *Nullum Tempus occurrit Regi* ——— to which in aftertimes were added ——— *vel Ecclesie*.

and apocryphal, added thereto surreptitiously, by whom, and for what good purposes, need not be said. * But there is law of every denomination, the law of reason, nature, and convenience, together with that of which these three are the foundation, the common law of the land, and in addition thereto, the statute law of the realm; all these there are to combat and defeat their empty, vain, and unsupported claim. In proof of which assertion enough has been said already, save only of that part which respects the statute law of the realm. In which particular, for ample satisfaction, we have only to turn to the 2d Edw. VI. Chap. 13, and read therein the following words---“ Provided always, and be it enacted, by the authority aforesaid, That *no person* shall be sued or otherwise compelled “to yield, give or pay, any manner of “Tithes, for any Manors, Lands, Tenements, “or Hereditaments, which by *the laws* and “statutes of this realm, or by any privilege “*or prescription* are not chargeable with the “payment of any such Tithes, or that be

* Le maxime que lay homes ne point prescrive in *non decimando* suit introduce en le common ley, quand spiritual persons fuer Judges. Siderfin Rep. P. 321.

“discharged by any composition real.”---
 Can any thing be plainer, can any thing be more intelligible, less liable to doubt or double meaning than this proviso? The words are not limited, they are not confined to any particular description of men, but are equally and generally extended to all.---*No person* shall be sued, &c.---And is any man so weak and blind, is any man hardy enough, will any set of men, after this intimation, presume to say that they will not take a plain law in its plain meaning? Or will any one hereafter dare assert that Laymen shall not prescribe against the claims of the Church? If any such there be, let them read the preamble to this memorable statute,

An Act for payment of Tithes.

Wherein the Parliament holden at Westminster the 4th day of February, in the 27th year of the reign of the late King of most famous memory, King Henry the VIII. there was an Act made concerning the payment of Tithes predial and personal: And also in another Parliament holden at Westminster the 24th day of July, in the 32d year of the reign of the said late King Henry the VIII.

another Act was made concerning the true payment of tithes and offerings; *in which several Acts many and divers things be omitted and left out which were convenient and very necessary to be added to the same.* In consideration whereof, and to the intent the said Tithes may be *hereafter truly paid according to the mind of the makers of the said Act*,---Be it ordained, &c.---Now reference being had to the Act in question, viz. (32d Hen. VIII.) we find there the same proviso perfect in all things, save only in the following words, viz. *Or by any Privilege or Prescription, or that be discharged by any composition real*, which precious words, as convenient and very necessary to be added to the same, were made a part of the subsequent Act, for the reason there assigned, viz. *That Tithes hereafter might be truly paid.* Neither was this by any means a precipitate step of the Legislature---it was not a measure that took its rise from hasty councils---it did not spring from unmatured resolves---it was not entered into rashly, but with extreme caution---after due deliberation, after the experience of years, with this avowed intent---To supply the omissions, to remedy

the defects of former Acts---and in all likelihood to cure abuses, and put a stop to claims similar to those of which we now so loudly, and so justly complain.---Seeing then, that, authorised by statute law, *Prescription may be pleaded* by your Petitioner against the claims of the Church; observing further, that his title under that plea has every requisite ingredient to constitute a true, compleat, and inconstetable Prescription, viz. “ Possession and time, long, “ continual, and peaceable”---(Coke on Lyt. Vol. I. Sect. 170.) He has ventured, under this persuasion, to commit, himself to your Honourable House; full of pleasing expectation, that by means of your Lordships interference, he may find relief and extend it to others.

Here the Sheriff addressed himself again to the Meeting.

I had now done all that I thought it was possible for me to do in my own defence. And yet, upon further rumination, I did not feel myself altogether confident and self-assured of success. Not, indeed, because my own conviction was incompleat; but, because I still continued to dread the fatal effects of that

propensity in our nature, *stare decisis*, which goes even to the putting up with error, rather than correct it at the trouble and expence of a little serious thinking; it was this consideration that induced me to pursue my researches, full of confidence, that there must assuredly be somewhere in our law a clear provision against so palpable an absurdity, as is that doctrine, which is broached by the Church in respect of their claims. And now, Gentlemen, I have the satisfaction to inform you, that by patience and perseverance, I have at last hit the right nail upon the head. Such at least is the opinion which I now hold, and of which I am so fully possessed, that I do not entertain a doubt of our deliverance. Neither, indeed, in my idea, when it comes to be considered, will there remain a vestige of the kind in the breast of any man. And now to the point,

But if all these arguments and points of law should fail of their effect, your Petitioner has yet another to produce, to which he trusts, as his anchor of hope, his last and best dependence. Before he explains himself further, it will be necessary to premise, that, although, naturally a Prescription, or a thing prescrip-

title should be laid as a Prescription, yet when it cannot be so laid by law, there it may be laid by way of custom; not that the nature of the thing is thereby changed, it still remains a Prescription, *sui generis*, though it be allowed to be pleaded, by way of custom, for necessities sake, as thus :---A discharge of Tithes, which we are told cannot be laid by law as a Prescription, may yet be laid with effect by way of custom, for that is not an interest, but an exemption, not *positive*, but *privative*, of the general possession. (See Hobert's Reports, p. 86.) Admitting, then, that the present case is such a one as is here described, in which Prescription cannot be pleaded by law, the objection is no bar to your Petitioner's right, for he does not plead Prescription *eo nomine*, but in the name of a custom. If any one should say in reply, that custom shall not prevail against common law, the fact is otherwise, for every custom is a restraint of the common law. (Wood's Inst. p. 6.) Common law is usage time out of mind, and custom, in such a place, is time out of mind, one as antient as the other, (Bridgeman's Reports, p. 69.) The custom of the place is, therefore, the law of the place, and where it is used upon certain reasonable cause, as is

the case with the custom here pleaded, it depriveth the common law. *Consuetudo ex certa causa rationabili usitata privat communem legem.* (See Coke upon Lyttleton, Vol. I. Sect. 169.) Now the custom which is pleaded by your Petitioner, is a *Modus decimandi*, and that he sets up as a discharge of all other manner of Tithing; arguing that wherever there is a *Modus decimandi*, that is to say, where-ever Tithe of any kind has been regularly paid time out of mind, all other kinds of Tithes are thereby utterly extinct and done away: (Hob. Rep. p. 118.) That which of common right should have been Tithe, becoming, to all intents and purposes, lay-fee; and if at any time set out, through ignorance of his case, by the owner as Tithe, and taken by the Parson, is recoverable, like any other part of the fruits, by an action of trespass, (Hob. Rep. p. 42.) So that now, it would seem, the tables are turned; we have those on the hip, those very men, whose foot was in the air, to tread upon our necks; and it will be well, indeed, for such as stand in this predicament, to have Laymen to deal with, who, feeling themselves superior to resentment, disdain to take this fair advantage.

When it is viewed in this light, the situation in which we stand, with respect to the Clergy, resembles that of our island with respect to the sea; the *Modus decimandi* forming a barrier in one case, to which the cliffs on our coast are analogous on the other; and as there is the same natural propensity in each to make encroachments; how happy is it for us that they lie under similar restraints! How thankful, should we be, that we can say to one, as well as the other, “ Thus far shalt thou go and no further.”

Neither is this any new-fangled or fancyful doctrine, but old as time and strictly orthodox. It is no counterfeit coin which your Petitioner would palm upon you, but the true currency of the kingdom; hid by craft or lost awhile through carelessness it is here produced in order to undergo your Lordships sterling touch before it is brought again into use and circulation. But if any one should hesitate respecting the truth of this assertion, if any one should entertain a doubt built on this supposition, that the *Modus decimandi* as here defined does not otherwise exist than as a creature of the brain, or at best exists but as the putative child of common

law, let him turn to the statute (31 Hen. VIII. Ca. 7.) and there he will find a clear exposition and explanation of the whole matter, neatly comprised in the following words: “ That all
 “ and singular persons of this realm, &c. shall
 “ fully, truly, and effectually, set out, yield,
 “ or pay *all and singular Tithes and offerings,*
 “ *according to the lawful customs and usages of*
 “ *parishes and places* where such Tithes or duties
 “ shall grow, arise, come, or be due *.” —
 And in a subsequent Act, (2 and 3 Ed. VI. Ca. 10.) the payment of Tithes is ordained to be made “ in such manner and form as of *right*
 “ *or custom* hath or ought to have been yielded
 “ and paid within forty years next before the
 “ making of that Act.”

By what authority then, and under what pretence of right, can any man, or body of men, be justified in laying claim to the payment of Tithes in manner and form, differing from that in which they have been yielded and paid from that time forth to the present day? For even admitting by way of argument, that

* By which it appears evidently that such tithes and offerings only, and in such manner as by law full customs and usages have been paid, shall thenceforth be paid; which effectually cuts up by the roots all novel claims, there being neither custom nor usage for any such payments. See p. 273.

the *Modus decimandi* is of spurious birth, which is a false suggestion, yet admitting it to have the full operation and force of truth, of what advantage to the church can such an allegation prove? It may have will, but cannot wound; unnerved and palsied by the statute law, like Bobadill, it may look big and bluster too, but has not wherewithal to do us hurt.---But this in fact is working extra work, and wasting time, for the thing objected to, is not of that suspected kind which some would have it thought, is not a vain conceit, but is a clear conception; neither is it of doubtful parentage, but has all along, and upon every occasion, been received and acknowledged as an existing legitimate exemption, handed down to us immemorially, and as much our birth-right as any other part of common-law. But we are not to wonder at any thing we see, for the remedy proposed as it is not a new one, so neither is the disease. The Clergy have all along been subject to periodical returns of this complaint. We have one in particular handed down to us, under the signature of all the temporal judges then in England, in their memorable answer to that which is entitled, “*Certain articles of abuses which are desired to be reformed in granting prohibitions.*” Which articles were exhibited

against the Judges of the Realm, before the Lords of the Privy Council, by Arch-bishop Bancroft, in the name of the whole Clergy, 3d of James. Wherein the Paroxifms of the present clerical influenza, and the dreadful effects to be expected from it, if not put a stop to, are pointed out in so clear a manner, that no language can furnish expression more truly descriptive: 'tis past the power of art---no painter can pourtray--- no sculpture tool a face, nor any mirror, by reflection, shew a stronger likeness, than that which we trace of modern divines,* in the following remarkable words of the judges:

“ And where, in ancient time, such as
 “ sued for Tithes, would not sue but for
 “ *things questionable*, and never fought, at their
 “ parishioners hands, their Tithes in other
 “ kinds, than anciently they had been used to
 “ be paid; now *many turbulent Ministers*, do
 “ infinitely vex their parishioners *for such kind*
 “ *of Tithes as they never had*, † whereby many
 “ parishes have been impoverished: And
 “ for example, we shall shew one record,

* This has reference only to particular cases, and is not meant as a general reflection.

† This amounts to a positive declaration that no other tithe can be claimed but such as the church has enjoyed.

“ wherein the Minister did demand seventeen
 “ several kinds of Tithes, whereupon the party
 “ suing a prohibition, had eight or nine of
 “ them adjudged against the Minister upon
 “ demurrer in law, and others passed against
 “ him, by trial.” (Arti. Cleri. Anf. to 8th
 Obj.)

Again, in another place, “ many Ministers
 “ have grown of late more troublesome to
 “ their parishioners than in times past, where-
 “ as, in former ages, they were well con-
 “ tented to accept that which was used to be
 “ paid, and not to contend against any Pre-
 “ scription or Composition; but now, they
 “ grow so troublesome to their neighbours, as
 “ were it not for the prohibition, they would
 “ soon overthrow all Prescriptions and Compo-
 “ sitions that are for Tithes, which doth and
 “ would breed such a general *garboil* amongst
 “ the people, as were to be pitied, and not to
 “ be permitted.” (Coke’s Inst. Vol. II. P.
 610. Arti. Cleri. in Anf. to the 15th Obj.)

From which time, till these our days, when
 the memory of what had past was worn out
 amongst Laymen, little more was heard of the
 claims of the Church.

To sum up all—it is contended on the part of the Clergy, first, “ That Tithes are due of common-right,” “ and secondly, “ That Laymen cannot prescribe so as to deprive “ this right:”

Respecting the first, your Petitioner does not attempt to give it denial, except, with reference to novel claims, and except it be so construed, that all which *was* due of common right, *is* due at this day; for much of that which *was* due has been legally alienated.

And as to the second he gives it flat denial; the rule is that no Layman can prescribe so as *wholly* to deprive the right in any instance, that is to say, where no kind of Tithe has been paid for land, nor any *modus*, and where nothing can be shewn to bar the Church, prescriptive possession will not avail us; for Prescription, which fortifies all other titles, and supposeth the best beginning the law can give, applied to Tithes, works clean the contrary. (Hob. Rep. p. 297.) The reason of which diversity, or rather the apology for it is this, that if it were otherwise, it would operate, in the end, to the undoing of the Church. It is, therefore, well and truly, and, perhaps, wisely said and provided, that Laymen shall not pre-

scribe *de non decimando*, that is, they shall not prescribe to hold any portion of land, altogether clear of Tithe; but it is also well and truly said, and as wisely provided, that they may prescribe *in modo decimandi*, which is to be clear in part, the very case that is here pleaded. But neither is this rule against *non decimando* in Laymen so very general as to be without exception; for now, though titles of discharge under the (31 Hen. VIII.) are lost and the manner of discharge cannot be made out at this day, yet if the lands of a religious house have been held, since the dissolution, freed from the payment of Tithes, it shall be intended that they were held so before; and prescription shall be allowed for a discharge of Tithes under that statute, either absolutely *de non decimando* for all Tithes, or for this or that sort, &c.--- All these titles may be supported by Prescription, and from hence all other Prescriptions *de non decimando* are supposed to have had their beginning. So that by virtue of (31 Hen. VIII.) a Layman patentee of the King may prescribe generally, without shewing how in *non decimando* for Abbey Lands as under an Abbot's title; which he could not do for any lands by the common law on any account. (Wood Inst. p. 180.)--- And was it not that your petitioner has all

along felt more for the general good than his own particular interest, he might have avail'd himself of the circumstance just named to quash at once the impotent attack upon him. For the Lands in question were Abbey Lands, and therefore he might have pleaded an Abbot title, in bar of novel or upstart claims. The plea no doubt does still lie open, and failing his present effort to serve the public, it will be resorted to. The tract of country which that defence will cover is very extensive. St. Cuthbert's Patrimony, as Monkish writers call it, stretching on one hand from Tyne to Tees, and on the other from the northern Boundary of Northumberland to Tweed; the last named strip comprising the two districts of Norham and Holy Island. The whole of these were Abbey Lands, given to St. Cuthbert and to his successors for ever, Bishops of Lindisfarne, by the Saxon Kings. The same was confirmed by the Danish Monarchs, and after them by the Norman hero. The plaintiff's triumph must therefore at any rate be of short continuance. The time of retribution is at hand, for novel claims can no where be sustained by any plea; for every plea that can be set on foot, has usage immemorial for its root, which in this case is

quite out of the question. And as to antient dormant claims, wherever else they may have footing, they can have none in the county of Durham. Neither indeed in any other County, by Lord Coke's account, who gives it as his decided opinion that any County, or part of a County, may prescribe to be quit of any Tithe, or in *non decimando*. (See Coke Lyt. Vol. II. page 648. Wood's Inst. page 171. 179. Alio Watson's Cler. Law page 115,) where see determinations of that kind. For Tithes, whatever they may have been originally, are now divided into two parts--- *decimas debitas*, or the natural Tithe; and *decimas consuetas*, or that, which in full satisfaction of the natural Tithe, is due by custom and usage. (Stat. 13 Ed. I. *circumspecte agatis*---and Coke's Exposition, Vol II. page 490.) The first of these, where they remain, are subject to no variation; neither, indeed, do the latter ever vary from themselves, however widely they may differ from one another. The *Modus decimandi* of the place, like an immoveable index, serving to point out in all cases, the *quantum* and *quale* that is due respectively. In short, this *Modus decimandi*, is the inheritance of the Church, and where it is detained, the Clergy may sue for it; but they cannot sue, under such cir-

cumstances, for Tithe in kind. (2 Eliz. Dyer, 170—18 Eliz. Dyer, 349.) It is no plea to say, that the *Modus decimandi* is short of the present value of the Tithe, the presumption is, that it is a full equivalent for the value of the Tithe, at the time of making the composition, (Wood's Inst. page 177.) for every such modus is a composition, or had its original ground upon some composition of that kind made; (See Answer to 15 Obj. of Articuli Cleri. 3 Jacobi) and as no custom, which creates a title of inheritance, as this does, can either be waved or annulled, but once established, must continue, (Coke's Inst. Vol. I. Sect. 170, Vol. II. page 654.) it militates with common sense to say, that the Church hath this inheritance in *modo decimandi*, and at the same time Tithe in kind, *contra modum decimandi*, (Hob. Rep: 43.) It is, therefore, self-evidently clear, that the operation of a *Modus decimandi* over the whole of the natural Tithe, is the same, in effect, as that of a simple modus over a part,---it binds the individuals to one invariable rule, precluding claims in any other way.---Our error then hath been this---Harbouring no clear idea of the nature of our defence, not distinguishing, as we ought to have done between a *modus* properly so

called, and a *Modus decimandi*, or else distinguishing in a case where there is no difference *, we have gone about beating the bush in fruitless search of that of which we knew not the use. For it is not a *modus*, according to the vulgar acceptation of the word, that can shelter us from this storm---all that a *modus*, so set forth, can do, is to afford us a partial covering---it is a *modus* brought forward either as a part, or the whole of a *Modus decimandi*, which is to prove our safe guard---it is a manner of tithing of the land, whether by *modus* or otherwise---it is an usage time out of mind, whatever that usage may be, which we should plead, and which alone is equal to our purpose of general speedy and effectual relief. *Lamb and Wool*, for instance, immemorially paid, without the co-operation of a *modus* for any other Tithe, is of itself a *Modus decimandi* of the land, and works a discharge of the natural Tithe of grain and hay, (1, 2, 18 Eliz. Dyer, 170. and 149. Hob. Rep, 42. 44. and 301.)---And vice versa, a *modus* without the co-operation of any other payment

* Where a *Modus* is paid, and where there is no payment beside of Tithe in kind, that *Modus* is the *Modus decimandi* of the land; in that case, therefore, there is no difference between a *Modus* and a *Modus decimandi*.

of Tithe, is of itself a good and sufficient *Modus decimandi*, and works accordingly. (Hob. Rep. 40. Rayner on Tithes 256.) These, and the other variation, of *part in kind and part by modus*, are all three descriptive of different specific agreements, made *concurrentibus iis qui de jure requiruntur*, with the consent of those who were qualified to dispose of the rights of the Church in any way they pleased; to make leases for lives without stint or limitation, and gifts in tail or states in fee at their will and pleasure: (Coke Lyt. Vol. I. page 38.)---whose contracts, would of course, be valid, could they now be found in writing; but of which the memorials being lost, the parties may prescribe, and shall have the advantage of them as if they appeared. (Rayner on Tithes, page 272.) Neither is it possible for the Clergy to extricate themselves from this dilemma, otherwise than by legally disproving the *Modus decimandi*; that is to say, by shewing a late original of the discharge pleaded (Hob. Rep. 293.) as where there is good and sufficient proof of record or writing, or of their own proper knowledge, to set against it, of Tithe being paid in kind. (Coke Lyt. Vol.

I. page 115.) Holding this, however, in remembrance, that *multiplex interruptio non tollit præscriptionem semel obtentam* (Coke Lyt. Vol. II. page 654.) and that therefore after all the pains they have taken for that purpose, no interruption, which of late years has been given to the *Modus decimandi*, no deviation whatever from the prescriptive mode of Tithing, by our acquiescence under their encroachments, will vitiate the Prescription; for a title by Prescription once vested, cannot be taken away by a *wrongful cesser to acquit of late times*, (Coke Lyt. Vol. I. Sect. 170.) So that supposing the *Modus decimandi* to have ceased,* and Tithe in kind to have been paid for ten, twenty, or any given number of years within memory, yet, if before the commencement of that period, the Prescription is found, the substance of the issue is found also. (Coke Lyt. Vol. I. Sect. 170.) That is to say, the form of the agreement or composition, by consent of Parson, Patron and Ordinary, is admitted upon fair legal presumption to be such as the

* An interruption of the usage for such time only as shall not destroy the possibility of making proof that such Custom or Prescription was, shall not be to the destruction of it. Wat. Cler. Law, page 522. See also Cases stated in Wood's Inst. page 298. Coke Lyt. Vol. II. page 653.

Prescription lays it. (Hob. Rep. 40.) No further confirmation of the agreement is necessary, or if it were, it is intended that there was one, though it cannot be found through the infiniteness and impossibility of search of things beyond memory, (Hob. Rep. 298.) for, *ex diuturnitate temporis omnia præsumuntur solemniter esse acta.* (Hard. Rep. 382.)

And if such is the law, where in the whole range of legal presumptions can there be found a fairer, a clearer, or a stronger one than this, ---“ That the payment of some Tithe, and
 “ the non payment of other, *immemorially* how-
 “ ever circumstanced that payment may be, whe-
 “ ther it is by, or with, or without a *modus*,
 “ presumes a contract to that effect,”

And here, in order to shew once for all, the power and efficacy of immemorial usage, let there be conceived a strong case in point. Let a bill be supposed to be brought by a Lay-impropriator for Tithe-hay, deriving title under a clear express, and incontestable grant from the crown. To which bill let the Vicar of the Parish be made a party; let it come out in proof, that no Tithe-hay had ever been

paid to the Lay-impropriator, nor yet to the Vicar nor any distinct specific modus to the latter in lieu of Hay-tithe. Let the defence set up be this, that the Lay-impropriator is only entitled to corn and grain, and that the Vicar is entitled to Tithe-hay, but that the farms are under certain antient moduses, or customary payments to the Vicar, which cover the hay, *though not exprest*. The question is, whether these modus's or customary payments shall be considered as pleaded in bar of the claims, as the *Modus decimandi* of the land; or whether Tithe-hay in kind shall revive and be restored ---and to which of the two, the Parson in right of his Vicarage, or the Lay-impropriator in right of his grant? Let the Answer exprest or implied be this---That the modus's or customary payments shall be so considered as pleaded---That the Tithe in kind shall not revive and be restored either to the Vicar or the Lay-impropriator, but that by virtue of usage presuming a contract, the land shall be held discharged of the natural Tithe.

This is a case, which the most reluctant must allow to be in full confirmation of the doctrine here layed down. And if any doubt

should arise respecting the possible existence of such a case, it may be found reported by Bunbury, (2 Geo. II.) or it may be seen abridged, in (Rayner on Tithes, page 246.) It there appears that the Vicar could make no title to Tithe-hay in kind, either by endowment or prescriptive usage, or to Tithe-hay at all otherwise than by the modus's or customary payments; but yet as the Lay impropriator was not able to bring proof of the exercise of his right for one hundred and twenty years, the Prescription is that the Hay-tithe is covered as pleaded. And the bill was thereupon *dismissed by the whole Court*,

So strong and convincing is the presumption arising from non-payment! So sacred a thing is immemorial usage! And so high a respect was paid to these considerations in the instance adduced, that they triumphed at once over the combined force of Church and Crown,

But, as it may seem that your Petitioner has in one part of this appeal, * denied the existence of any law, or maxim of law, whereby Laymen are restrained from prescrib-

* See page 276.

ing against the Church, and in another part * has admitted the legal operation of such restraint in some particular cases, he now begs leave to say in explanation of his meaning, that the latter expression does not give contradiction to, but expounds the former, as though he had said, in the first instance, there is no such *sweeping* law, or rule of law *to such extent*, as sages and divines of modern date have palmed upon us. All the old law-books agree with him in this saving sentiment, that a *non decimando*, is an absolute discharge of all manner of Tithes of the land, paying nothing in lieu of them. Clearly then, if any Tithe, or recompence for Tithe is paid, the rule against Prescription in Laymen has, in such case, nothing to do with it. The exemption from Tithe must be total, otherwise the law lays no restraint. If it is any thing less than a whole, the charm is broke, and Laymen are at large. All the virtue it has, belongs to, and is derived from the circumstance of its being a compleat deprivation of the rights of the Church in respect of that Land. Without which latter circumstance, the reason of the peculiarity in question can neither be explained, nor the use of it justified. Lord Hobart's opinion of the *totality* here contended for by your Petitioner, and his defence of

* See page 289.

the peculiarity as annexed to the case, are clearly and briefly set forth in the following words.---

“ There are some presumptions in law so violent, as though they be false, a man should not be received to aver against them. As in this case---The law presumes violently that a Layman cannot be *absolutely* discharged of Tithes: And therefore will not allow a Prescription of such discharge, holding it more reasonable that one man should suffer a mischief to lose such a privilege, being so improbable and of so dangerous consequence, than for his particular, to admit a spoil of the Church, and a decay of Religion, according to the rule, *Omne Magnum exemplum aliquid habet ex iniquo quod publica utilitate compensatur*. So that though you shall be allowed your discharge by grant when it appears, yet when it appears not, *stabitur presumptioni donec probetur in contrarium*.” (Hob. Rep. 227.)

A more perfect concurrence in the same opinion with your Petitioner, and a stronger confirmation of it as *strictly legal*, can hardly be urged from greater authority, or conveyed to us in clearer words than in those which are quoted; neither, indeed, can any man give a

better, more candid, or satisfactory account of the probable rise, reasonable progress, and certain limitation of the rule in question.

It is, however, the fashion or affectation of the times, even among those, who should be better informed, to call the act of with-holding any Tithe, a *non decimando* within the rule. But to say that a man prescribes within the rule, because he prescribes to be quit of this or t'other Tithe, is a gross perversion; and they who tack a *Veto* to such cases, distort the law, and turn it from its course. A *non decimando* in the intention of the law, is one thing, and a partial non payment is another, but the one is no more the other, than an Ape is a Man; neither does the Rule any more belong to, or apply to cases of partial exemption that *Reason* does to the animal just named, or to any other animal which may resemble, in some respects, the human species. In the eye of the law, there is no other prohibited plea of Prescription, but that which involves a total exemption from Tithes: in all other possible cases, however distant from, or however near they may approach to a clear exemption, *Laymen may plead Prescription*, or prescriptive possession as freely, and should be permitted to do

so with as much certainty of success, as in any case the most remote that may be from the consideration of Tithes.

These are the premises, and the inferences which flow naturally from them are as follow:

“ That the usage of the place is the *Modus* “ *decimandi* of the place---and that every such “ *Modus decimandi, ipso facto*, by favour of law, “ and by force of Prescription, worketh a discharge of the whole natural Tithe.”

Before he concludes, your Petitioner begs leave to say a few words in explanation of certain passages which have been deemed ambiguous in that Treatise, to which your Lordships have been referred. The following is the first that we meet with, “ That which has regularly flowed “ from the Crown to the Laity, and has not “ regularly flowed from thence to the Church, “ is still in the Laity.”*

This would seem at first sight to encourage and couch an idea, that, in the author's estimation, the Clergy are entitled to no other Tithes, but such only as are admitted to have been derived to them by regular conveyance †,

* See page, 225.

† In the total wreck of all such conveyances, the tithes conveyed and tithes retained cannot be distinguished. In order, therefore,

and that all others which have not been so conveyed, remain with the land. But when we look more narrowly, and consider with ourselves, that he speaks only of those possessions which have flowed from the Crown to the Laity, it is clear that tithes could not have been the possessions in this instance alluded to. For Tithes do not fall under the description named: they did not come as Tithes *ab initio* from the Crown to the Laity, but first to the Church in that shape by the mere good-will and bounty of those who possessed the land from the Crown an entire property: then back again to the donors or to their representatives as Tithes by the grant of Parson, Patron and Ordinary; by virtue of which, and by favour of the Statute of Dissolution we now hold Tithes of which we were not supposed to be capable at first as Lay-see. But after all, it is but a shabby argument by which the plea against a *non decimando* in Laymen is upheld. For if it is asked why Laymen cannot prescribe in *non decimando*, the answer is because they are not capable of Tithes. And if it is, ask what reason to do all manner of justice to the Church, it is admitted generally that all tithes were conveyed which were then in *esse*. But that concession will not satisfy the Church, for tithes are claimed which were not then in *esse*, nor even in contemplation of the most visionary mind, which is a flight of fancy that soars above absurdity itself.

there is to suppose that Laymen, who granted Tithes, are not capable of holding them it is answered, because of the remedy given to Laypersons by the Statute (32 Hen. VIII.) And if it is further asked how the remedy provided can be made to prove what it is said to do, the answer is, because there had been no need of the remedy there given had Laymen been regularly capable of Tithes, for in that case the common law would have given the remedy. (Watson's Cler. page 516.) Now what kind of reasoning that may be, your Lordships will judge; but it seems to be just such an argument, as if it were afterwards to be brought in proof of the defect of your Petitioner's title, that your Lordships had thought fit to confirm the same. Waving however the consideration of original right in laymen to hold or retain Tithes as not directly in point, your Petitioner does not feel himself under any difficulty respecting the Author's meaning, who doubtless knew, though Tithes were intended an annual free-will gift, that the right to retain them was presently lost; who likewise knew that the very act of bounty, previous to which there were no Tithes, without which they had not been, and by which they were only created a revocable present, was soon after con-

verted by those who held this fascinated realm in leading strings, into a strict obligation on our part, planned and ordained by God himself.---All this the Author could not fail to know, he likewise knew that all the property so gained, was afterwards secured by legal acts ; and therefore could not mean to say that 'Tithes of any sort existing then remained with us, which had not been devoted to the Church. Not one in fact of that description did remain, not one was left behind. But this was left as proof significant from whence they came, and what they were designed to be---“ The privilege of choosing “ those to whom the payment should be “ made.”---And all had yet been well had only that been handed down, but that reserve was also filched away, and finally was lost when parochial rights were first established, * all persons

* It has been asserted that parochial rights were first established in consequence of a decree of the Council of Lateran; but Lord Coke declares that no such decree can be found, nor any injunction to that effect, save only in a decretal Letter of Pope Innocent the Third, dated indeed at Lateran the first year of King John's Reign, and directed to the Arch-Bishop of Canterbury, *ut ecclesijs parochialibus juxta decimæ persolvantur*. Which said Epistle though it was not binding on the Subjects of this Realm, yet it being reasonable as the Pope expresses himself, that *ecclesiæ quæ spiritualia seminant, metere debent a suis parochianis temporalia ut habere*, the same was allowed, and so it became *Lex terræ*. Coke Lyt. Vol. II. page 641.

being then made compellable to pay their Tithes to the resident Parish Priest. Before which, though to some spiritual Person, or other, *Tithes were to be consigned*, no particular Person had a property in them. (Hob. Rep. page 296. Coke Lyt. page 646, 653.)

Giving to these several facts their due proportion of weight, it is perfectly clear, that the expression alluded to, could not have been designed to have reference to Tithes, but merely to land, to which as the Church had not contrived to trump up a separate independent claim, it could not otherwise be entitled than by virtue and force of regular grants.

The next objectionable sentence has these words,---“ That, indeed, which has regularly “ flowed through either of those channels to “ the Church, though lost for a time, is ill ,’ without any manner of doubt their tangible “ property.” *

If the former expression was reprehensible on account of its appearing to give too little, this is equally, if not more so, from its ap-

* See page 225.

pearing to give too much. The Author seem-
 ed to be aware of this, and in order to
 qualify the matter, subjoined what follows :
 “ In other words, where there is proof that
 “ any incumbent was heretofore in legal pos-
 “ session of that which is now claimed by his
 “ successor, that case is in point ; but there is
 “ no other to which Prescription is applicable,
 “ or by virtue of which the claimant is entitled
 “ to a decree in his favour.”

But unfortunately for us, this explanation
 will go but a little way to remove the difficulty,
 for your Petitioner has admitted, * and it may
 be proved, that by some means or other, it
 matters not how, this fair and conscionable
 Church had not only contrived to worm itself
 into legal possession of *all existing Tithes*, but over
 and above into *a third part, at least, of all the real
 property of the Realm.* (Rot. Parl. 4 R. 2.
 N. 13.)

Shall we say, then, because they can prove
 the possession which is here described, that they
 are still entitled to and may recover the same ?
 ---If such delusion has by chance prevailed, let
 it here be noted, that the possession alluded to

* See page 306.

has no reference whatever to the *quondam* rights of the Church, but to those rights *only* of which they can prove the possession, since the Church was restrained from alienating its property. All other rights they did possess have either been *absorbed*, as may be seen, by public legislative acts, or have otherwise, by private deeds of their own, been *discontinued*, while they had the power to do so, and of which deeds no other evidence is or can be required, at this distance of time from the date of the transaction, than the unity of our possession since the period named; for in all cases immemorial whereof the original was probable, the maxim of law is to presume it just. (Hob. Rep. page 297.)

. It would seem, therefore, that the Author's meaning would be better expressed by the following words: "Where there is proof of legal possession on the part of the Church since the Clergy were restrained from alienating its rights,* the claim is incontestable; but there is no other to which Prescription is appli-

* This was done by divers Acts, viz. 1 Eliz. 13 Eliz. Ca. 10, 1 Ja. Ca. 3.

“ cable at this day, or by virtue of which, the
 “ claimant is entitled to a decree in his favour.
 “ Neither, indeed, can a question of law be
 “ framed successfully for them in any other
 “ shape.”

To make this matter clear, we have only to consider the drift of the legislature in the acts before us. It was two-fold. To preserve in the first instance the remaining rights of the Church; and secondly to render those rights which had been duly alienated, secure to their possessors. And how was this effected? Simply thus---by declaring that which was left, henceforth unalienable; and by leaving that which had been alienated, precisely in the same situation in which it had always stood, “ irre-
 “ coverable otherwise than by proof of covin,
 “ fraud, or force.”

But no such proof has been adduced, nor can it now be brought. Then what must your decision be? Must you, who are by birth the guardians of the state, the dernier judges of all right, be consenting to charge legal property with payments, because a fraud may be possible, but appears not! And must we

be required by your award to restore that without proof, which only by proof they were at any time entitled to recover! If this be done, which cannot be supposed, you will do that which militates with common sense, you will render that which is imperfect, perfect now through dint of imperfection, and so by mere defect of title make their title good! At this rate you will not only destroy all property, but all law, of which latter it is a maxim, "That what appears not to be must be taken in law as if it were not." (Vau. Rep. page 169.) And here no covin, force nor fraud appearing--- what must follow? That none did exist.

Seeing then that whatever the Church was left in possession of, at the passing of those acts, could not since have been disposed of legally and cannot but through default on their part be lost; observing further that whatever the Church had previously conveyed away, if fairly done, was sanctified by law, and gone for ever, and that all those possessions which have run the gauntlet of time, and remain in our hands are so considered, all that can be wanting to their title, at this day, and all that can be required by us, is that they should bring evidence of possession within the period named,

But less than this will not suffice, for to waive this proof and yet to claim, is to say that Prescription will help any man to that which no man ever possessed in the same predicament* with himself, which is a clear absurdity. For omnipotent, as this magician may seem, it is not in his power, as the Author very justly observes, to create a right, all he can do is to recover that right which has once been lost. It undoubtedly, therefore, remains with them, with those that claim to shew their right. Let them prove their possession as here described, let them make it appear that they have done so, and assuredly there is no Layman amongst us who has either honesty or common sense that will resist the claim.

* From the date of those acts by which the alienation of Church property was abolished a new clerical Æra commenced. The former body were in one predicament, the latter body are in another. The first had a power of disposal to an unlimited extent, the latter have no such power in any degree whatever. The first had therefore no more than a qualified claim to the possessions of those that went before them, whereas the latter have a claim perfectly unqualified with respect to the possessions of their predecessors. The reason of which distinction is this—That in all cases, the point to be proved rests with the party affirming, no person being required to prove a negative. Thus in the first instance, the fact of seurance was the point affirmative, and that rested with the defendant. In the latter instance, the fact of possession is the point affirmative, and that rests with the claimant. Nothing can be clearer than the distinctions drawn, and we have only to attend to them to steer clear of all dissention.

But the case is otherwise, where there is no legal proof set up on their part, and where our possession running uniformly through, is carried up to those times when it was competent to the Church to dispose of its rights. In all such cases, the law presumes a fair and regular dismemberment, a contract once existing, though it cannot now be found, by force of which they were divested of rights they would otherwise have had, and we were made the lawful owners. For though the foresaid disabling statutes, agreeable to the nature of all laws, looking forwards, went effectually to the preventing of that in future, which had proved an abuse; they neither did nor could, nor were designed to alter or correct, much less to disannul the past proceedings. Otherwise they would have been laws which are declared to be an abomination---*Laws of retrospection*, punishing for that by an after stroke which the law allowed at the time of doing; or else mere *laws of nonsense*, making two men have several plenary rights in the same thing, at the same time, which is neither more nor less than to make the same thing, at the same time, both lawful and unlawful, which no law can effect, *Quod nec Deus potest facere*, for the thing required is impossible. (Vau. Rep. page 336.)

But in truth there is no such imputation chargeable upon them, for the statutes named, so far from vitiating, did virtually confirm the Layman's title. They served us likewise in another way, they drew a line which was not drawn before, which line is since become by common course of things, the *ne plus ultra* of the Church's claims, the Rubicon of their Prescription, beyond which to set a foot, is to erect itself into a tyranny; for what better definition can be given of tyranny, than that of a power self assumed dispensing with the law? For that which law presumes is clearly law. But some who wish to weaken what they cannot overcome, affect to say, that as no written vestige of discharge can be shewn on our part, the law should not presume under such circumstances to draw conclusions in favour of Lay-possessors, but judging fairly rather should presume that what we hold was fraudulently gained. Now law, which never shrinks from any explanation of its ways, will satisfy such scruples thus: "In law it is a settled point, that every thing which is law, and is not known to be such by act of Parliament, is such by common law; but it does not follow from thence, that such things as are by common law, are only such by usurpation; for admitting, as we must necessarily admit, that

“always there was a power and practice of making laws, they might have been so by act of Parliament not extant. And indeed, most of the common law cannot be conceived to be law, otherwise than by act of Parliament, or a power equivalent to them, whereof the rolls are lost.” (Vau. Rep. page 163.)

So, in like manner, though Laymen in general are not able in the case of Tithes, to support their title by written documents, yet, it does not follow from thence that they gained their titles by usurpation, for they might have gained them by legal contracts now not extant. And so no doubt they did obtain them, for as always there was in the Church a power and practice of alienation, and as always there was a right of recovery, on proof of covin, force, or fraud, that right not exercised, it cannot be presumed, nor can it be conceived, that what we hold was otherwise ours than by lawful means.

But it may be said, that law in this respect has begged a question, and by an allusion to premises which are not *in esse*, has drawn an argument that will turn against its employer,

inasmuch, as there is no evidence of things, which were by common law, having ever been by act of Parliament, and no sufficient ground, of course, on which to build, in either case, this boasted plea of law presumption. In answer to which your Petitioner begs leave to refer your Lordships to what has been said on this subject by Lord Chief Justice Vaughan, (Rep. page 161.)

“ It is clear, that formerly in the times
 “ of Henry VIII. Queen Mary, and Queen
 “ Elizabeth, it was supposed, that certain
 “ customs called the old, or *antiquæ custumæ*
 “ upon wool, pelts, and leather, were origi-
 “ nally due to the King, by common law,
 “ and not by act of Parliament; and of this
 “ opinion were all the Judges in those several
 “ reigns. But in spite of these authorities, it
 “ has since been discovered, that those very
 “ customs were no duties belonging to the
 “ Crown by common law, but were granted
 “ as a new thing to King Edward I. by *Par-*
 “ *liament*, in the Third year of his reign,
 “ whereof there is evidence undeniable, though
 “ the act itself is no where extant now.”
 Whence we may learn, as is here remarked by
 this candid Lawyer, “ *how fallible even the*

“ *opinion of all the Judges is, when the matter*
 “ *to be solved must be cleared by searchers not*
 “ *common, and depends not upon cases vul-*
 “ *garly known by readers of the year books.”*
 (See also Coke Lyt. Vol. II. page 58.) And
 again, “ Many things are said to be prohibited
 “ by common law; and, indeed, most things
 “ so prohibited, were primarily prohibited by
 “ Parliament, or by a power equivalent to it,
 “ in making laws, which is the same, but are
 “ said to be prohibited by common law, be-
 “ cause the original of the constitution, or
 “ prohibiting law, is not to be found of record,
 “ but is beyond memory, and the law known
 “ only from practical proceedings and usages
 “ in courts of justice, as may appear by many
 “ laws made in the time of the Saxon Kings,
 “ of William I. and Henry II. yet extant in
 “ history, which is now received as common
 “ law. So if by accident, the records of all
 “ the acts of Parliament now extant, none of
 “ which is older than the 9th, Henry II. but
 “ new laws were as frequent before as since,
 “ should be destroyed by fire, or other casualty,
 “ the memorials of proceedings upon them,
 “ found by the records in judicial matters,
 “ would, upon like reason, be accounted com-

“mon law by all posterity.” (Vau. Rep. page 358.)

Let these most pertinent remarks be applied to the parallel case of Tithes, and your Lordships will find in acquittal of law, that it has not, but upon good and sufficient ground, presumed the real existence of lawful acts, though they cannot be found in the original concoction of our title; and that, consequently, the usage thereon having gained the force, is now become past all dispute, *a settled, known, acknowledged part of common law.*

Had there never been a power in the Church, or had it never been a practice with them to alienate their rights, this ground on which we stand so safely now, had not been tenable; for then, indeed, they might have said with semblance of the truth, that all they ever had must still be their's where not entrenched upon by act of Parliament. But all men know the power alluded to, did once exist, and all men know the practice of those times, which still had been the same, not stopt, as has been shewn, * by Parliament's most timely intervention.

* See page 309.

Perceiving then, that the Church was clearly competent in those days to convey its property; that there was no inability in Laymen to become possessors; that the power alluded to was daily exercised; that the rights conveyed were never otherwise recoverable, than by proof of covin, fraud, or force; that no such plea had been adduced; that no such suit had been instituted; while the transaction was yet fresh in remembrance; and that no action of the kind, from the nature of things, can now be brought--- These circumstances weighed, will any man who is capable of judging between right and wrong; will any man who has the fear of God before his eyes, rise up and say, that he is not drawn by these premises irresistably to this conclusion---that all was done when the title did commence *secundum legem*?

Conformable to this idea the law has hitherto presumed; conformable to this idea the law must still presume, or otherwise must own a master, bend the knee, and bow the neck and crouch to a superior; which English law disdaining to perform, its determination must necessarily be conclusive in favour of Lay-possessors.

Not that your Petitioner would have it understood, that he takes it upon him presumptuously to say, that this is law: All he means to express is his own sincere belief, that it is so, and that the law speaks as plainly in this case to his understanding, as if it had said in so many words to the Church, “Thou shalt
“have none other Tithes but these.”

Yet neither is this, nor any thing else that has been advanced, how firm soever it may seem to have been spoken, intended to convey an idea, that your Petitioner considers himself as urging what he says, with the voice of authority; or that he ventures to approach your Lordships in any other way than with feelings of the most unbounded deference, veneration, and respect.

It cannot be supposed, that he is altogether so witless, as to assume to himself the determination of a case, at the same time that he is producing it in appeal to your Lordships; or that he means any thing more by this recital, than frankly to set forth his best opinions; neither has this been done through ostentation, officiousness, or the vanity of supposing himself

capable to hold out information to your Lordships, or otherwise, indeed, in any respect, than as thinking it necessary to his own justification, to shew the ground of his resistance, and why it is that he has gone these extraordinary lengths, by proving that he could not have done differently, and acted any way in concert with the information of his mind. But as this is a motive merely personal, your Petitioner would not have thought himself sufficiently warranted, to take up so much of your Lordships time, without some prospect of its redounding also to public advantage, from this incidental consideration, that as no error or misconception of his can, thus exposed, escape detection, it may be a means of bringing the matter, with very little trouble to your Lordships, immediately to issue; a circumstance, which, in any event, cannot fail to meet the wishes of all parties; for, even in the worst that can befall us, we shall have some reason to rejoice, we shall know precisely what it is that belongs to us, and of course, taking leave of disputes, *shake hands and be friends with the Clergy for ever*, But, if things should take a different turn---if it shall appear not only as now, upon the face of it, but, upon record, that your Petitioner

has right on his side----that he is founded in fact, and point of law----and that your Lordships are agreed with him in the same opinion ----we shall have infinitely more reason to rejoice, insomuch, that he will not envy the composure of any man, who can then forbear to exclaim----Farewel for ever novel claims, and welcome our deliverance ! bewildered long and lost in a labyrinth of our own constructing, see the clew is discovered, which shall lead us to the outlet!----Such, indeed, are your Petitioner's hopes ;---To givethem life, or finish their existence, is your Lordships province. Happy to know, as obstinately sure of this, that favour and dislike, within your walls, are equally apart, he neither dreads the one, nor courts the other ; looking to you, his eyes are fixt on justice ; so possessed, he takes his leave ; ---Content alike to stand or fall as fair impartial truth, whose seat is in your hearts, shall either way direct, he quits your honoured presence, submitting his own, and the cause of his Country to your good judgement and decisive voice.

*Here the Sheriff addressing himself to the Meeting,
concluded in the following Manner :*

So much for the Petition.---It now remains with you, Gentlemen, if you are so disposed, to consider with yourselves and determine how near it approaches to your ideas of fitness. And if you concur with me in the prayer and sentiment, how far, and in what manner you will be pleased to countenance my weak endeavours to do the state some little service.

The Sheriff being once more seated, Mr. Orde, of Morpeth, stood up, and addressed the Meeting.

I rise to move, that the thanks of this Meeting be given to the High Sheriff, for the very great zeal he has shewn, and the pains he has taken to serve this County, and the Public in general ; but as I confess myself not able to judge of the propriety or impropriety of the matter contained in the Petition, from only hearing it cursorily read, I further move, that the High Sheriff be desired to print the

substance of his opinion, for the more satisfactory information of the Public.

This Resolution being agreed to, and past unanimously, the following Advertisement was drawn up, read, and approved; which finished the business of the day.

At a Meeting of the Freeholders of the County of Northumberland, held at the Town-Hall, in Morpeth, the 22d Day of December, 1784, pursuant to public Notice given by the Sheriff, for the purpose of taking into consideration the novel Claims of the Church.

The Sheriff having explained to the Meeting the purpose of their being called together, and having been desired to give his Sentiments on the Subject, read a Paper containing the Principles on which his Opinion of the invalidity of those Claims is founded.

RESOLVED, That the Thanks of this Meeting be given to the Sheriff, for the very great zeal he has shewn, and the pains he has taken to serve this County, and the Public in general, and that he be desired to print the Substance

of such his Opinion, for the more satisfactory Information of the Public.

And lastly, RESOLVED, That the Sheriff be desired to sign these Resolutions, and cause them to be printed in the Newcastle Newspapers.

FRANCIS BLAKE, SHERIFF.

To the FREEHOLDERS *of the* COUNTY of
NORTHUMBERLAND.

FOWBERRY-TOWER,
Dec. 26, 1785.

GENTLEMEN,

CASTING my eye over the last additional remarks* which I had the honour of submitting to your consideration, it struck my mind forcibly, that some reasonable objection might be made to the following expression:

* The remarks referred to are now interwoven and form a part of the foregoing Petition.

“ In *all such cases*, the Law presumes a fair and
 “ regular dismemberment, a contract once ex-
 “ isting, though it cannot now be found, &c.”
 (See page 312.) Now the truth is, there are
 really *some cases* in which the Law will not pre-
 sume, as I have mentioned; which cases ought,
 of course, in their fair representation of facts, to
 have been named and excepted. Be pleased,
 therefore, to make a mark of reference to the
 sentence quoted, and enter the following remark
 at the bottom of the page: “ This will hold good
 “ in all cases, save only in those which extend
 “ to an *absolute non decimation of the land*, in few
 “ * of which will the law allow the operation
 “ of any contract, except the contract itself ap-
 “ pear. That is, though the grant of Parson,
 “ Patron, and Ordinary is good of itself with-
 “ out any recompence or consideration what-
 “ ever where the grant appears, yet where it
 “ appears not, but runs out to prescription, it
 “ dies and perishes. Whereof no other reason
 “ is given, as Lord Chief Justice Hobart ob-
 “ serves in his Reports (page 297,) but that our
 “ books say, that *a man may prescribe for his Land*
 “ *in modo decimandi, but not in non decimando.*

* See in what cases it is allowed to prescribe in *non decimando*,
 page 290.

And here, Gentlemen, it may not be amiss to observe, that as the intendment of one of these provisions is in favour of the Church, and as the other is in favour of Laymen, so does the like good reason move in both cases, viz. That the one party may not *spoil* the other. I will not carry my partiality so far as to say, that this precaution was necessary for our security, and not for theirs. I think it was well done for both, and discovers a thorough knowledge of the heart of man. We see more plainly indeed from the present temper of *some part*, at least, of the holy bootherhood, how wise and necessary this provision has been, in respect to ourselves, for without it there would have been an end, I suppose, at this instant, of almost every *Modus*, *Modus decimandi*, and *Composition* whatever; for it is altogether in contemplation of the legal commencement of those discharges, that any of them are pleaded and allowed at this day. The proof direct of our title to them is not now within our reach, but neither on the other hand, is it in the reach of the Church, *directly* to impeach it. I speak this generally; to be more particular, I may venture to say, there is not one case in ten thousand, which is capable

of being either supported or set aside, by positive proof. By what means, then, can the mind of man be brought, under such limitations, to that sense of conviction, which is suited to decide? By reflecting seriously upon the nature and origin of the payments in question, their known legality, and acknowledged frequency; by weighing the circumstance of their continuance, without change or question, through so many successive ages; through so many shrewd generations of men, whose vigilance and attention to their own concerns, had grown even to a proverb; and by adding to these, this palpable fact, that *they have all along had their effect of discharge, in respect of any other mode of tithing.*---. All these considerations combined form a phalanx of evidence. And what has the Church to produce against it? A possible case? Nay hardly so much,---a bare possibility that no such contracts did ever exist, or if they did, that they were compassed by fraud! To what degree of credibility this far-fetched fancy is entitled; and to which of the two cases, contrasted as they stand, fair justice should lean, rests with them to pronounce, in whose province it is to determine between us. In the mean time, however, you and all men are equally free to put forth an opinion of the defence set up. Of my opinion you have

been long in possession. But your's, Gentlemen, to my disappointment, and the grief of many, has not been made known. Neither indeed have they, who started these claims, been more explicit: but this is known from your mutual silence, that in your opinion, and in that of all those of their own body who have gone before them, *the Clergy have no title whatever to the Tithes in question.*

I have thought it necessary to subjoin thus much that I might have the satisfaction of laying before you in small bounds, the whole scope of this business; and that you, Gentlemen, might see clearly, and at one view, the strength and weakness of both parties; that so informed, and so warned, you might neither fall unawares, or through despondency, into that fatal abyss which is opening for you: but that thoroughly apprised of your own situation, and of the drift and tendency of *your concessions*, you might know of a truth, that by yielding this point to the Church, you would help them to dig your own grave; you would enable them to cut up by the roots your own defence of every other *Modus* or *Composition*, for Tithe, in as much as resting upon the same base with the *Modus decimandi*, they must all stand or fall together.

When I consider, therefore, the vast importance of the present question---the public manner in which it was brought before you---the previous wish which seemed to pervade the County that some person would produce himself; in order to bring to a point the general sense, and draw it to determination; losing the thought of my own unworthiness in these considerations, I cannot forbear to flatter myself, that feeling for yourselves, if not feeling for me, who for your sakes have stood forth resolutely upon this occasion, you will yet, in your own good time, vouchsafe as a body to shew something more than silent respect to the cause, by entering into some public resolutions declarative and explanatory of what opinion you hold in the present dispute. When this is done, from that moment will all new and upstart claims take their farewell departure. For as no point of law is more reasonable, so neither is there any which is better rooted, or of more certain effect than this---
 “ That you may prescribe for your land in the
 “ way I have named, and that you shall have
 “ your discharge in such sort allowed by virtue
 “ and force of the *Modus decimandi*.” Your opponents are too knowing, to be supposed not to know this; they see it with fear and trembling,

but are too wise to confess what they know, while you seem in doubt. Till such time, therefore, as you are pleased to open your minds there will be no end of your troubles: they will continue to flatter themselves that the storm may blow over; and, of course, will continue to harass you, resting in hope, that you do not, and will not perceive, or that seeing the truth, peradventure you will not believe. But how vain and ghostlike must that hope be, which, in so clear a case, hangs only by the thread of such a surmise!

And now, Gentlemen, before I take my leave of this subject, let it be known to all, that if any thing whatever has been said by me upon this or any other occasion, as if seeming to reflect upon the body of the Clergy, that I do hereby utterly and most solemnly disclaim either having had or having now any intention of the kind. No man, I will be bold to say, is more loyally attached than I am to the holy Institution; no man can reverence the Clergy more truly than I do, can entertain a higher opinion of their worth, or would do more to serve and oblige them, as all who view me fairly, must, and do acknowledge. Far it be from me,

therefore, and far it is from me, either to say, or insinuate, or even to harbour the most distant thought, that the generality, or that any considerable proportion of the Clergy would continue to lay claim to that, under any temptation, which they either knew, or could even suspect did not belong to them. But there are some bad men of every description ; and though I have risked upon this general observation, a conjecture, in this case, which should apply somewhere ; yet, I hope, for the honour and credit of *Religion and Nature*, that I am *this time* in an error ; and that he, whoever he may be, who is either in your estimation, or mine, the worst of the bad ones, is not bad enough to do so.

I remain,

GENTLEMEN,

With the greatest Respect,

Your faithful and affectionate Servant,

FRANCIS BLAKE.

T H E

C O N C L U S I O N .

LET it here be noted once again, that whatever has been advanced in any part of the preceding Narrative, respecting the favour shewn by common-law to the claims of the Church, on *proof of legal possession*; as also respecting the competency of Prescription to reinstate the Church, relates merely to the recovery of those possessions which have been lost, since the power of alienation was taken away; it has no reference to those other rights of which the Church was divested antecedent to that period. For what title can the Clergy of these times have to such possessions? A Layman might just as well lay claim to all the Estates which have been sold out of his family by those who had the power to dispose of them, as Church Men claim the scattered parts of property which those of their own body, who

were free to do so, conveyed to others. Had it been permitted to Prescription to range back into those times, what scenes of outrage had marked its progress! To form some faint idea of the fatal effects of such a licence, we have only to contemplate the colour and quality of certain samples which have recently been struck out of similar disputes. Happily, however, it is no more in the power of Prescription to go those fearful lengths, than it is in alchymy to turn lead into gold. The only rights which are now recoverable are those which the Church retained when the power of alienation was taken from the Clergy; and what can those rights be, but those which the Church has since enjoyed? Let me ask a question---Do the Clergy of these days look up to the recovery of rights which were not claimed by the Clergy who were contemporary with the acts which put an end to alienation? Do they look up, I say, to the recovery of rights which those of their own tribe, who could not fail to be better informed than any who are now living, of all particulars which had any relation to Church property, did not demand, and did not of course believe themselves entitled to? Do the present race require other advantages than *those Men*

were content to enjoy, or than *those* who were next in succession, or any who followed to these our times? Can this be possible! Can reason require of justice to draw a line which is more favourable to the Church, than that which admits its claims upon its own uniform construction of them?

Then how is it that the Clergy have been drawn in to engage in this business? It is because they would have acted out of nature to have done otherwise. It is not in nature to be very inquisitive after proof against ourselves. It is not in nature to admit arguments in favour of others against ourselves without reluctance. But it is in nature to be as they have been,---easily persuaded into a belief of the fitness of those proceedings which square with our interest. The Clergy had, therefore, a reasonable apology, when they first set on foot their claims; they had likewise a reasonable apology while matters remained in doubt; but now that the eyes of all men are opened to see the way in which each of us should walk, the case is altered. They have not now to plead that they do not suspect their title; it cannot now be thought that they do not be-

lieve it void. In men of sense and sound judgment, such as the Clergy are for the most part, it would be mere affectation of dulness in them to say they are not convinced of their error. With equal justice and shew of truth might they complain of darkness at noon-day, while the Lamp of Heaven is blazing before them.

And here it may not be amiss to observe that the last concluding sentence reminds me of a friendly memento received not long since, to the following effect--“ That my positive manner of expressing myself had given offence, and injured my cause;” I shall, therefore, beg leave to subjoin a few explanatory words on that subject.

It is an observation of the great Mr. Sel- don's, that “ when judges in speaking of the King's Proclamation, say, this is the intention of the King; it is not meant that the King had declared his intention any otherwise to those judges than, to the rest of the nation, but that they examining the contents of the Proclamation, gather by the purport of the words the King's intention; and then for shortness of expression say,--this is the King's intention.”

As it is, therefore, with those judges who never were censured for such expressions, so fares it with me in respect of any sayings of mine, which however express, or to what other person imputed, are merely meant as the signs of my own opinion drawn from sources of the best information within my reach. When I say for instance, that *such is the intention of the Legislature, or that such necessarily must be the opinion of the Church*, I mean no more than to say that I humbly conceive the case to be as I have stated it. And though I may seem to speak most positively on such occasions, nothing was ever farther from my thoughts than to speak dictatorially, as if meaning to preclude others from the free exercise of their judgements, and bind them down to my decisions. Had this been meant, there would indeed have been room for offence, but under the present explanation, I hope and trust, if any has been taken, it will not remain.

Certain it is that no doctrine was ever more clear to my understanding than that which is here adduced, it must of course be my opinion, and as such only is it said by me, that Prescription has no more power in this Country

to bring about the restitution of rights which have not been exercised by the Church since the acts were past which put an end to alienations, than it has in Turkey where its name and nature were never known.

If I have erred, however, in this particular, or if there is any other admissible mode of adjustment, if there is any other line which can be drawn between the parties, any other fair distinction which can be made between that which is theirs and that which is ours,---between that which they parted with, and what they retained, let those who think so make it known; but if none occurs, if none is extant, holding here as it were in my hand the Olive Branch of Peace,---having here before us a certain safe and easy rule by which these feuds may be brought to an end, let us henceforth resolve to abide by the same, and live as becomes us in Christian friendship with one another.

FRANCIS BLAKE

FOWBERY TOWER,

March 25, 1789.

P O S T S C R I P T.

WHILE this collection was preparing for the press, the public prints announced a Letter* addressed to me by an unknown hand, purporting to be a refutation of my opinions respecting the Abolition of Tithes and the Reform of the Church Revenue. I have since perused the Letter, and after so long a silence, and so many years to prepare an answer, that such an answer should have been prepared for public inspection surprises me much. To quote from a friend an apt expression---“ they are the “ only sixty eight pages I ever read, from “ which no information could be collected.” And yet from me to my new correspondent, unfeigned thanks are due, for he has done more for me in that small compass, than if twenty volumes had been written by those who think as I do in favour of my opinions. And now that I have paid my compliments to him by that acknowledgement, I shall take my leave, subjoining only, the better to settle his mind, the following extract from another Letter.

* Printed for T. and J. Evans, in Pater Noster-Row, 1785.

“The most extraordinary publication has appeared lately that ever disgraced the Annals of Literature. It professes to be a refutation of your arguments for the Abolition of Tithes and the Reform of the Church Revenue. The writer takes offence at the confidence of your assertions, and well he might if likened to his they were mere assertions. But founded as your assertions are in the fair presumption of truth, drawn from sources of the best legal and historical information, the fault he finds is transferred from them to those authorities which give the confidence that he complains of. And so indeed, he declares it to be, for in setting out to expose as he pretends “the fallacy of your reasoning, to combat the confidence of your assertions, and to establish the “claims of the Church,” what does he tell us? His words are these,---“Historical evidence and legal authority I have purposely “omitted.” And why has he done so? For two of the strangest reasons that ever were broached. Because, “the one might be deemed the result of superstition, the other of “partiality.” The man that could give such reasons is very unfit to be reasoned with, and therefore by no means worthy of your notice---

Besides he has handled the subject in such a manner, the public would think it an insult offered to their discernment to have one word written by way of answer; for such is his gross perversion of your meaning, it is not possible that any understanding can be misled. You may therefore safely leave it as he has proposed, “ to the unbiaſſed judgement of a “ candid public.”

S U P P L E M E N T.

THESE tracts were meant to have been republished in their present shape before the rising of parliament last summer,* but as that intention could not conveniently be carried into effect, it was judged expedient to let the recess pass over, and not produce them till the two houses were again assembled,---the minds of men fatigued by a long and close attention to national business, requiring a truce with serious subjects. But now that the session is opened, the cause of delay is removed, and therefore the Author with due

* 1789.

respect submits his thoughts to the public judgement. And if no other good should result therefrom, but to draw to the points discussed, a settled attention, his end will be answered. For it is not to his own particular fancies that he is attached, but to that plan only, whatever the plan may be, or by whomsoever brought forward, which may most advance the prosperity of his country. He makes no doubt, but better and wiser measures than any suggested by him, are yet in reserve, which only wait to be disclosed by proper application. His principal aim, therefore, is to rouse his countrymen to attempt the discovery, to work them up to this decided purpose, never again to lose sight of the subject, till by some means or other, by some contrivance, speedy, certain, safe, and honourable, *taxes, tithes, and public debt*, whose triple tyranny brings shame at once and poverty upon us, may be abolished. Those are the sad circumstances in our situation, which threaten the ruin of this country, obviously tending to kindle the flame of civil discord. I say obviously, as reasoning now from fair analogy; for to what other cause but to that of grievances, the same in substance differing in degree from ours, can those commotions be imputed, which shake

the throne and realm of France? Had all been well with them respecting their resources, had neither debt been known nor church oppression, or had not these been stretched to that extent, as made the pressure insupportable, to which our own affairs are hastening, that which now has happened had not been attempted,

Not that the natives of that country had the same good reason that we have, to reprobate the growth of such annoyances. It was well judged in them to suffer abuses to run their course. There was no other way to get the better of the peoples' prejudices; no other means of working the change, which was fit to be brought about of their national character. Nothing but strong provocatives could rouse that easy people to those exertions, by which alone their liberty could be recovered and secured. But where can be the good, or how can it be wise in us to practice such forbearance? In us, I say, who have not much to hope from any change, but much to fear,---who have not much to gain, but much to lose,---who have not much that needs correction, or can be improved; nor any thing so much amiss, but it may be mended without disturbance. Most clearly then there is no simila-

rity in our two situations. For us therefore, who have no such after-game to play, for us to wait, as they have done, till grievances become so rank that nothing can perform a cure, but that which risks the ruin of the state, can never be the part which we should act. The boon contended for by France, is ours already, a *free Constitution*; the whole therefore that we have to do, is unimpaired to hand that constitution down to our posterity. Of course it becomes our duty to watch occurrences with jealous eyes, that nothing root and gather strength by which that trust may suffer danger. Our neighbour's cards are harder to be played, and so were ours some time ago; but when we look to the quality of that stake for which we strove, and they are striving, there is no degree of hazard, no worldly toil, however in extreme, that can be thought too great, to bear away the inestimable prize. Theirs is the cause in which all men have a fellow-feeling---it is *the cause of human nature*; and in that light viewed the proper wish must be for their success. Such at least is the proper wish for me, and for all those who think as I do, that nothing now, nor at any distance of time, is to be apprehended by this Country from such a consummation: I reason thus.---Whatever for the whole is good, and

and liberty is such, is good for every part; it cannot therefore injure us that they are free. Because my neighbour thrives, must I, by his success alone, without a fault of mine, be ruined and undone? It cannot be. Then far away from us be all that narrow, mean, disgraceful policy, which teaches us to wish, that none besides ourselves, no other nation may partake of happiness. If England has but wisdom to make use of opportunity, what passes now in France, may ultimately tend as much to our own advantage as to theirs.

The proper use to make of opportunity is this:---*To clear the ground of all obstructions standing in our way.*---That act of riddance is the only antidote we want against the poison of despondency,---the only spur that industry requires,---the only good that energy has need of,---and the only help that enterprize demands to keep the lead of all our neighbours. Then indeed there can be no doubt of our rising superior to all rivalry, but by no other means can there be a chance for us to maintain our weight in the scale of the world. For taxes, tithe and public debt are England's bane. They are the same impediment to us, that Carthage was to Rome,

---we cannot long subsist if they remain in force. With Cato's spirit, therefore, and with his integrity, the famed admonishment, applied to us and our community, may thus be paraphrased,---that *taxes, tithe, and public debt, for England's good must be abolished*. And in that opinion I am quite confirmed, but am not bigotted to any mode. The choice of that is left at large. The best is most indubitably that, where quick dispatch with efficacy joins. Where these unite, by whomsoever produced, the plan has my approval,--but still with this reserve, that due regard be paid to justice and religion in the management, for moulded otherwise, the work of man can never prosper. Whatever therefore be the mode, be this the basis of adjustment,---that none have room for lamentation, ---none have cause to heave a sigh, or drop one silent tear, but all alike exultingly lift up their heads, clap hands, rejoice, and hail the happy day that rid the land of *three such monsters*.

January, 1790.

ADDITIONAL REMARKS.

Since the sentiments which are expressed in the foregoing Supplement were made public, the affairs of France have taken an unexpected turn. The whole and every part of which is agony and outrage, passing all examples, and exceeding all belief in any other way, than by referring it to answer some wise purpose to the will of Heaven.

It was in that safe harbour that we ought to have moored our vessel, but with more spirit than prudence we weighed anchor, and set sail, in order to take upon ourselves unappointed, to be the instrument of vengeance.

We had seen before what had happened from the arrogant assumption of such powers, but we would not profit by that example. We had witnessed the untimely end of two sovereign princes, we had heard another impute his fall to the intemperate zeal of his friends, but by those warnings we would not be cautioned, and what has been the consequence? To say no more in condemnation of the act, we have drawn down on our heads, the like imputation of all the mischiefs that since have happened, and yet may follow

Were we to wait then with folded arms till danger came upon us? We were not so to wait. Carried to that extreme, the act of acquiescence had been criminal. It is required of us to do what we can in aid of ourselves, and that performed, to trust the rest, in perfect resignation come what will of the event.

To be wary and circumspect, to be well provided to meet the worst and to repel it, being the same thing as to be wise, most clearly was our bounden duty. But to go in quest of that worst, which probably would not have come in quest of us, to traverse sea and land in search of it, and head-long to rush on as soon as found, was that a mark of wisdom, or was that an act of duty?

We must look back to the peculiar merits of this new case for an answer to those questions.--- I am but too well warranted to state them thus. The French in pure antipathy to Kings, have boldly bid defiance to the King of Kings, and impiously have dared to plant their cannon against the gates of heaven. To whom does that attach as an offence? It cannot be referred to us as the offended party,---and as to other cause of

quarrel there was none, for all besides that was offensive flowed from that polluted source.

Then let me ask,---Does any one suppose the power offended has not power to punish the offence? Then wherefore our officious interference? Does any one suppose that we have power to punish it? We have it not. Our want of power already has appeared, and further will be shewn if we have folly to persist. * The cause is God's peculiar care, it does not lie before the Court of Man. To his correction then we should have left them, and to his they must be left. All earthly interference will be vain. And wherefore vain? Because it is presumptuous. To prove the vanity of our attempt, and God's sufficient means, their punishment may be protracted, but it will not fail to be enforced;---except contrition deep and timely turn aside the pending wrath. No symptoms of remorse have hitherto appeared, and should they not be shewn while yet forbearance is held out, I say, with confidence, that punishment as sure awaits their crime and will be signally inflicted on them, as God's existence and omnipotence is sure, which needs no further illustration.

February, 1794.

* The circumstances which have occurred since the Date of this remark, are an awful confirmation of its accuracy, as also of the reasonableness of that statement, from which the remark was deduced.

*A Weighty Matter submitted to Public
Consideration.*

IT is perfectly clear to me, from the temper and practice of the times, that except some speedy and effectual stop be put to the lavish expenditure of public money, the whole landed property of this Island will soon be mortgaged to the last shilling.

It is no less clear to me, that, in the fulness of that period, supposing the patience of this Country to hold out so long, one or other of these evils must necessarily befall us, viz.

It must either happen, that all regular government will be overthrown in the struggle of contending Interests, the landed on one hand, and the funded on the other; the one no less reluctant to yield, than the other resolute to obtain possession---Or that property will exchange hands without a struggle, and the present possessors, or their immediate heirs, patiently submit to be reduced to beggary.

In order, therefore, to avert on either hand the threatened ruin, it is proposed, by way of

preventive remedy, to make application to Parliament, to new model the payments to Government, both with respect to the past and future expenditure.

The following is a copy of the intended Petition for that purpose, to which I set my name, and by that token pledge myself, if the same be permitted me, to the specific performance of my part of the contract; humbly recommending it to all the well wishers of their Country to follow the example.

*To the Honourable the Commons of Great Britain,
in Parliament assembled;*

The humble Petition of the Subscribing Party,

Prayeth,

THAT your Petitioner may be permitted and authorised to charge his real estates with the payment of thirty thousand pounds, or with the payment of such other sum, be the same more or less, as may be ascertained by this Honourable House to be his proportionate share of the public debt, supposing the said public debt to be parcelled out for payment among the several Proprietors of Lands, landed Securities, Houses, and public Funds.

And your Petitioner further prays, that his said Estates may be made subject to the payment of interest on the sum to be so charged as above, at the rate of four pounds per cent. or any other rate of interest, be the same more or less, which may appear to this Honourable House to be his proportionate share of the annual charge of the said public debt, supposing the same to be transferred as aforesaid.

And your Petitioner further prays, that he may be permitted and authorised to pay in future his proportionate share of the Civil List, and Peace Establishment, by an annual pound-rate, the quantum of which pound-rate to be ascertained by this Honourable House in like manner as before has been named.

And your Petitioner further prays, that, as often as the exigencies of Government may require a further aid, he may be permitted and authorised to pay his proportionate share of the same, by such an additional pound-rate, as may be ascertained by this Honourable House to be sufficient to accumulate the sum which would fall to his lot of payment, supposing the whole annual supply to be raised within the year, and parcelled out for payment among the several Proprietors aforesaid.

And your Petitioner further prays, that he may be permitted and authorised to make such temporary, and such permanent payments, as have been severally named and assented to on his part, by half-yearly instalments, and that the same may be declared to be accepted in full satisfaction of his proportionate share of all Taxes,

Customs, Duties, and Parliamentary Imposts
laid already, or which hereafter may be laid
on the Subjects of this Country, or their
Concerns.

And your Petitioner shall ever pray, &c.

FRANCIS BLAKE,

February, 1795.

